

The U.S. Patent and Trademark Office has asked for feedback on whether it should make permanent its Extended Missing Parts Pilot Program, or allow the program that reduces costs for patent applicants to expire at the end of the year.

## REAL ESTATE

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### **NJ Justices Halt Retroactive Rental Obligations Ruling**

The New Jersey Supreme Court has agreed to stay a ruling that current municipal affordable housing obligations don't necessarily have to include earlier unmet quotas, handing a victory to advocates fighting to uphold protections that arose from landmark litigation over exclusionary zoning.

## EMPLOYMENT

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### **Union Contribution Dispute Sent Back To Pa. Labor Board**

A Pennsylvania appeals court ruled Thursday that the Pennsylvania Labor Relations Board erred when it passed off to the state attorney general's office an investigation into the alleged misuse of funds from teachers' unions to support Gov. Tom Wolf's 2014 gubernatorial campaign.

### **OSHA Rule Unfairly Gives Unions Access, Businesses Say**

The Occupational Health and Safety Administration illegally changed a rule to allow union officials to tag along on workplace inspections, making collective bargaining disputes a part of what should just be standard worker safety inspections, a business group said Thursday in Texas federal court.

## PRIVACY & CONSUMER PROTECTION

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### **House Asks GAO To Investigate OPM Hack Response Deal**

National Indian Gaming Commission

New Jersey Legislature

Occupational Safety and Health Administration

Office of the Comptroller of the Currency

Securities Investor Protection Corp.

Securities and Exchange Commission

U.S. Army

U.S. Civilian Board of Contract Appeals

U.S. Customs and Border Protection

U.S. Department of Agriculture

U.S. Department of Defense

U.S. Department of Justice

U.S. Department of Veterans Affairs

U.S. Environmental Protection Agency

U.S. General Services Administration

U.S. House of Representatives

U.S. Marine Corps

U.S. Office of Personnel Management

U.S. Patent and Trademark Office

U.S. Sentencing Commission

U.S. Supreme Court

U.S. Uniform Law Commission

Ysleta del Sur Pueblo

The House Oversight Committee on Wednesday asked a government watchdog to look into whether the U.S. Office of Personnel Management unlawfully stiffed CyTech Services LLC for its work helping to uncover and respond to the high-profile hack of OPM's databases in 2015.

## PRODUCT LIABILITY

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### **USDA Can't Duck Food-Safety Groups' Organic Rule Challenge**

A California federal judge declined Thursday to dismiss a suit accusing the U.S. Department of Agriculture of revamping the Organic Foods Production Act without allowing for public comment, saying the food-safety groups leading the suit had shown they had concrete grounds behind the suit.

## GOVERNMENT CONTRACTS

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### **GSA Rule Would Allow Incidental Purchases Under FSS**

The U.S. General Services Administration issued a proposed rule Thursday to allow incidental materials to be purchased under the Federal Supply Schedules, with the aim of making the FSS program more consistent with similar federal contracts and reducing frustration for agencies and industry alike.

### **House Panel Subpoenas VA Over Blowout On Hospital Project**

The House Veterans Affairs Committee on Wednesday voted to subpoena the U.S. Department of Veterans Affairs, a move intended to prompt the agency to cough up information on a long-overdue hospital construction project, expected to cost more than \$1 billion over its initial budget.

## INTERNATIONAL TRADE

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### **Dems Take Issue With WTO's 'Protectionist' Claims**

A pair of influential Democratic lawmakers on Thursday criticized the leadership of the World Trade Organization for vilifying food safety regulations and remedial tariffs as "protectionist" measures that should be removed, asserting that such measures are vital parts of a rules-based trading system.

### **Ag Exporters Asked To Sound Off On Cuba Licensing**

The Obama administration on Thursday asked for input on the effectiveness of its licensing procedures for shipping food products to Cuba, a move that will likely fuel the calls for reform from a powerful agricultural lobby that has led the charge for more liberalized trade with the island nation.

## **TAX**

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### **Tax Preparers Seek Quick Win In IRS Fee Suit**

A certified class of more than a million tax preparers ranging from accountants to attorneys urged a D.C. federal judge Wednesday to block the Internal Revenue Service from charging a fee for issuing a preparer tax identification number, arguing the fee is unlawful.

## **IMMIGRATION**

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### **USCIS To Adopt Parole Policy For U Visa Applicants**

The U.S. Citizenship and Immigration Services has accepted Ombudsman Maria M. Odom's recommendation to implement a parole policy for eligible U visa petitioners living abroad who are waiting to receive a U visa, Odom's office announced on Wednesday.

## **NATIVE AMERICAN**

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### **West Texas Tribe's Bingo Is Illegal, State Says**

The state of Texas on Thursday urged a federal court to hold the Ysleta del Sur Pueblo tribe in contempt for holding illegal electronic bingo games at its casino, and denied claims that the state had to file a new complaint.

### **MGM Implores 2nd Circ. To Revive Suit On Tribal Casino Law**

MGM Resorts International asked the Second Circuit again on Wednesday to revive its lawsuit over a Connecticut law that paves the way for the Mashantucket Pequot and Mohegan tribes to open a third casino in the state, saying the measure injures MGM by giving the tribe a competitive advantage.

## **TELECOMMUNICATIONS**

### **FCC Chief Floats Apps-Based Set-Top Box Plan After Backlash**

The Federal Communications Commission's chairman revealed a revised plan Thursday to unlock the set-top box market, now requiring pay-TV companies to provide consumers apps to access content on widely available third-party platforms, after meeting stiff resistance on an earlier version of the plan.

### **FCC Eliminates A Key Break For UHF Station Owners**

The Federal Communications Commission's Democratic majority has voted to further tighten the agency's media ownership rules by subjecting UHF stations to the same market share restrictions as VHF stations, eliminating a relaxed standard that was based on the "constraints of old technology."

### **FCC Chairman Calls For Stronger 5G Wireless Push**

Although the Federal Communications Commission is taking steps to roll out fifth-generation technology wireless technology, FCC Chairman Tom Wheeler said on Wednesday that it can still do more to help



move along the process while ensuring competition.

### **AT&T Tells DC Circ. Local Carriers Can't Collect VoIP Fees**

Telecommunications giant AT&T Inc. urged a D.C. Circuit panel Thursday to toss a decision that would allow local carriers to collect local access fees for sending calls "over-the-top" of internet service providers' equipment, arguing the agency would allow carriers to collect for services they did not perform.

### **EXPERT ANALYSIS**

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### **There's A New Sheriff In Town For AD And CVD Orders**

If you import goods subject to anti-dumping or countervailing duty orders, get ready for potentially tougher investigations. The release of new enforcement regulations signals the latest of U.S. Customs and Border Protection's efforts to increase its focus on investigating potential instances of evasion by importers and enforcing trade remedy laws, say attorneys with Venable LLP.

### **NAIC's New Cybersecurity Model Law Draft Is Still Flawed**

While the National Association of Insurance Commissioners' latest draft of its revised cybersecurity model law addresses some concerns that insurers previously raised, other fundamental problems remain, including surrounding uniformity and superseding of other state notification laws, says John Pitblado of Carlton Fields Jorden Burt PA.

### **Finding The Right Way To Deal With Patent Demand Letters**

How best to respond to demand letters from nonpracticing entities remains a challenging question for many companies. A recent case brought by a Maryland company that received a demand letter from a well-known NPE provides a window into some pros and cons of different

approaches, say Joshua Dalton and Sarah Paige of Morgan Lewis & Bockius LLP.

## LEGAL INDUSTRY

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### **Breaking Into BigLaw Without A BigLaw Resume**

Scan the attorney profiles on any BigLaw website, and you'll notice a trend: a majority of the attorneys have likely attended just a handful of the nation's most prestigious law schools and many of them have followed very similar career paths. Here, experts offer tips for breaking into BigLaw as an outlier.

### **Dozens Of GCs Pledge To Give Work To More Diverse Firms**

Two dozen general counsels from varied major corporations, like eBay Inc., United Airlines, McDonald's Corp. and Biogen Inc., signed a letter Wednesday pledging to give their legal work to more diverse law firms.

### **Law360's Weekly Verdict: Legal Lions & Lambs**

Legal lions from Littler Mendelson PC and Gibson Dunn were steady at the wheel for ride-hailing giant Uber, winning a major federal decision on the future of labor claims brought by drivers. Our legal lambs are led by an inventor and lawyers who pressed "bad faith" patent suits and will end up footing their opponent's legal bills.

### **Rainmaker Q&A: Morgan Lewis' Anne Marie Estevez**

Never say no if someone needs a favor or you can proactively help a company avoid a significant issue or risk. It takes time, but "what goes around, comes around" more frequently than many think, says Anne Marie Estevez, a labor and employment partner at Morgan Lewis & Bockius LLP.

### **Rainmaker Q&A: Much Shelist's Mitchell Roth**

Part of remaining a rainmaker is surrounding yourself with a great team. You can't continue to build a larger practice if you have to do all the work. Behind every great rainmaker is a great team, says Mitchell Roth, a managing partner and principal at Much Shelist PC.

#### **JOBS**

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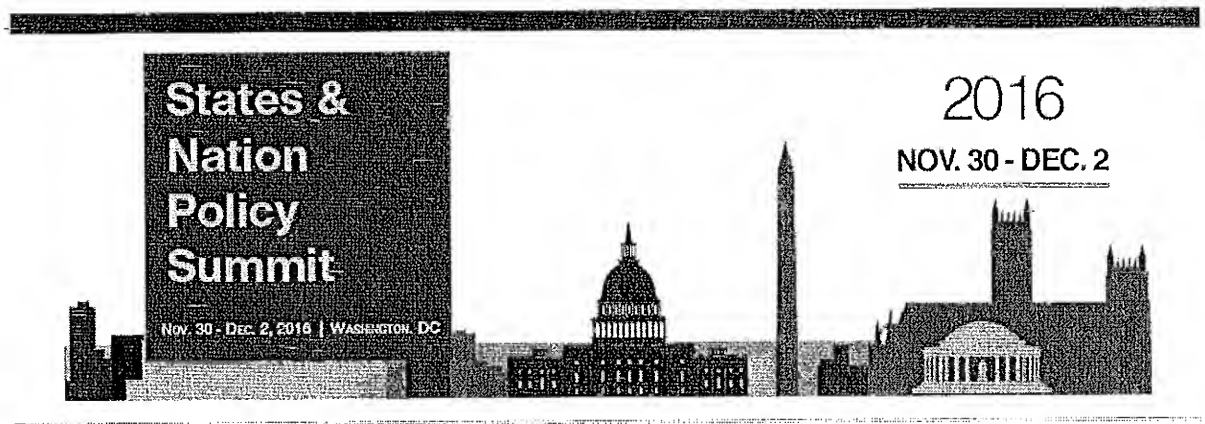
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**From:** Courtney Cook  
**Sent:** Friday, September 9, 2016 10:12 AM  
**To:** Rep93  
**Subject:** SNPS 2016 - Speaker Announcement!



## Speaker Announcement!

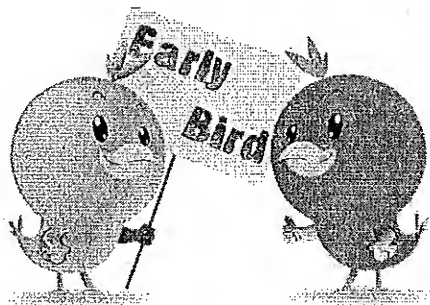
We are excited to announce the first speaker for the 2016 States and Nation Policy Summit— U.S.Senator Thom Tillis!

North Carolina Senator Thom Tillis is committed to preserving the American Dream for younger generations and supports commonsense policies that will generate economic growth and opportunities for working families. Thom's 22-year private sector career in technology and management consulting has provided him with a deep understanding of policy-making and the management of complex organizations.



### Register Today!

We have opened registration and housing for our 2016 States and Nation Policy Summit. Make sure to register early to lock in the best rates!



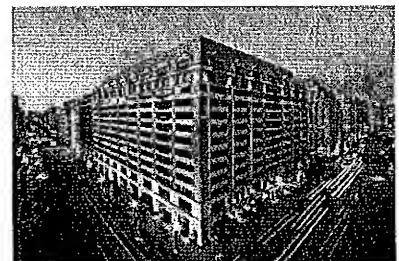
### Find The Meeting Agenda Here

The 2016 States and Nation Policy Summit agenda has been posted. Have a look at all the meeting details that have already been posted and check back for updates often!

### Reserve Your Room

The 2016 States and Nation Policy Summit will be hosted at the Grand Hyatt Washington, located in the heart of downtown DC.

Book your room today to secure your spot!



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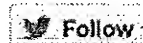
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**From:** Public Policy Law360  
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**To:** Rep93  
**Subject:** Even After Iran Deal, Foreign Cos. Still Fear US Sanctions



Tuesday, September 13, 2016



## TOP NEWS

### **Even After Iran Deal, Foreign Cos. Still Fear US Sanctions**

Non-U.S. companies were supposed to be the biggest winners of the historic Iran nuclear accord, which erased the stringent sanctions on foreign entities' dealings with the embattled nation, but those companies still face numerous compliance headaches that threaten to pull them back under the U.S. sanctions umbrella.

### **Feds Eye Settling Insurers' ACA Suits To Stabilize Markets**

The Obama administration is opening the door to settling numerous lawsuits with health insurers seeking billions of dollars in unpaid Affordable Care Act obligations, which would give the administration a path around Republicans' block on the market-stabilization spending.

### **DOE, DOI Release Plan To Grow Offshore Wind Power In US**

The U.S. departments of Energy and Interior on Friday unveiled a collaborative plan to coax further development of offshore wind power, claiming steps taken to lower project development and electricity costs could result in as much as 86 gigawatts of U.S. offshore wind power by the year 2050.

## LAW FIRMS

Akin Gump  
Baker & McKenzie  
Baker Botts  
Ballard Spahr  
Bancroft PLLC  
Biestock & Michael  
Bredhoff & Kaiser  
Brune Law PC  
Bryan Cave  
Bull Housser  
Butler Rubin  
Cleary Gottlieb  
Crowell & Moring  
Curtin & Heefner  
Day Pitney  
Earthjustice  
Fitzpatrick Cella  
Fletcher Heald  
Fredericks Peebles  
Freeborn & Peters  
Fried Frank  
Gibson Dunn  
Gray & Associates  
Greenberg Traurig  
Hogan Lovells  
Holland & Hart

### **GOP Rep. Goodlatte Pushes For EB-5 Reform Bill**

House Judiciary Committee Chairman Bob Goodlatte, R-Va., on Monday introduced a bill to reform and reauthorize the soon-to-expire EB-5 Regional Center Program that would extend the program for five years and raise the minimum amount required from investors from \$500,000 to \$800,000, among other changes.

### **Justice Ginsburg Seeks SEC Response To Tilton's Stay Bid**

U.S. Supreme Court Justice Ruth Bader Ginsburg has asked the government to respond to private equity magnate Lynn Tilton's application for a stay of a U.S. Securities and Exchange Commission proceeding against her and her firm, while she continues a quest to challenge the agency's in-house court.

### **Is It OK To Cuff An Inmate-In Labor? 9th Circ. Says Maybe**

The Ninth Circuit said Monday that only jurors can decide on a case-by-case basis whether the U.S. Constitution allows law enforcement officers to restrain a female inmate while she is pregnant, in labor or during postpartum recovery.

### **SEC Urged To Protect Investors From Corporate Tax Dodging**

An advocacy group composed of businesses and investors is urging the U.S. Securities and Exchange Commission to implement stricter disclosure standards, saying in a Monday report that investors are facing increasing risks posed by secretive offshore tax avoidance practices.

### **ANALYSIS**

### **The AIA At 5: A New World Of Patent Challenges**

Five years ago this week, the America Invents Act became law, overhauling procedures for applying for patents, challenging their validity and litigating them in court. In a three-part

Holland & Knight  
Jones Skelton  
Karnopp Petersen LLP  
King & Spalding  
Kirkland & Ellis  
Latham & Watkins  
Littler Mendelson  
Locke Lord  
Marashlian & Donahue  
Marshall Gerstein  
Mayer Brown  
McCarter & English  
Morgan Lewis  
Norton Rose Fulbright  
Nossaman LLP  
Paul Hastings  
Paul Weiss  
Quarles & Brady  
Quinn Emanuel  
Ropes & Gray  
Scarinci Hollenbeck  
Schulte Roth  
Schwartz Simon  
Sheppard Mullin  
Sidley Austin  
Simpson Thacher  
Skadden  
Squire Patton Boggs  
Sterne Kessler  
Sutherland Asbill  
Venable LLP  
Winston & Strawn

### **COMPANIES**

21st Century Fox Inc.  
A&E Television Networks LLC  
AAR Corporation  
ActionAid  
Allergan PLC



series over the coming days, attorneys reflect on how the law has changed the patent landscape, beginning with AIA reviews, which have become more crucial than just about anyone expected.

### **3 Legal Attacks The Cross-State Air Pollution Rule May Face**

The U.S. Environmental Protection Agency has bragged that its revised cross-state air pollution rule will help cut summertime nitrogen oxide emissions from power plants by 20 percent over last year's levels, but the rule — which has already been up to the U.S. Supreme Court once — is likely not out of the legal woods yet, experts say. Here, Law360 identifies three parts of the rule that could spark legal challenges from environmental groups, states and industry parties.

### **FCC Faces Uncertain Success In Second Round Of Auction**

The second stage of the Federal Communications Commission's experimental incentive auction kicks off Tuesday after the agency was forced to lower its goal of how much spectrum it aims to clear, and experts say closing the gap between supply and demand could drag on for months.

## **BANKING & SECURITIES**

### **Chamber Calls For Financial Stability Board Restructuring**

The U.S. Chamber of Commerce on Monday called on global governments to radically restructure the Financial Stability Board, an international panel of financial regulators, in the latest salvo fired against the internationalization of financial rule-making.

### **SE Asian Capital Market Regulators Push Bond Market Growth**

Capital markets regulators with the Association of Southeast Asian Nations said Friday they have agreed to intensify efforts to promote

Altera Corporation  
America Fujikura Ltd.  
American Federation of Labor and Congress of Industrial Organizations  
Apple Inc.  
Assisted Living Concepts, Inc.  
Association of American Railroads  
BlueCross BlueShield of North Carolina  
CBS Corporation  
CIGNA Corporation  
CTIA  
Center for Biological Diversity Inc.  
Delaware Riverkeeper Network  
Enbridge  
Facebook  
Financial Industry Regulatory Authority Inc.  
Google Inc.  
Highmark Inc.  
Hobby Lobby Stores  
Humana Inc.  
ICx Technologies, Inc.  
IP Owners Association  
Immigration Reform Law Institute  
International Business Machines Corporation  
KPMG International  
Kirkland's, Inc.  
MSCI, Inc.  
NFL Enterprises LLC  
National Association of Broadcasters  
National Railroad Passenger Corporation  
New England Patriots  
Oceana Inc.  
Pfizer Inc.  
Planned Parenthood Federation

regional asset classes, beginning with a regulatory program focused on developing domestic bond markets.

### **SEC Wants Firms To Watch Reps With Troubled Pasts**

The U.S. Securities and Exchange Commission announced Monday that it is launching exams to test the compliance oversight and controls of investment advisers that hire individuals with a disciplinary history.

### **FINRA's Capital Acquisition Broker Rules Face Tough Sell**

Under newly approved Financial Industry Regulatory Authority rules, brokerages that engage in limited activity, such as advising certain private placements or private mergers and acquisitions, can benefit from lighter regulation, but attorneys doubt the relief goes far enough to make a splash.

## **ENERGY & ENVIRONMENTAL**

### **Senate's \$9.4B Water Resources Bill Clears Hurdle**

The Senate pushed a bill Monday to authorize more than \$9.4 billion in water infrastructure projects, including harbor dredging and aid for lead-contaminated water in Flint, Michigan, after the measure cleared a procedural hurdle.

### **Enviros Can Intervene In Del. River Fracking Suit**

The Delaware Riverkeeper Network can intervene in a lawsuit brought by a landowner challenging the Delaware River Basin Commission's fracking moratorium and refusal to approve an exploratory natural gas well, a Pennsylvania federal judge said Monday.

### **Feds Reach Deal To Protect Sea Turtles From Shrimpers**

A D.C. federal judge on Friday stayed a lawsuit filed by a conservation group accusing the U.S. Department of Commerce of not doing enough

PricewaterhouseCoopers  
Public Company Accounting  
Oversight Board

Royal Dutch Shell PLC

SLM Corporation

Sierra Club

Talen Energy Corp.

The Boeing Company

The Walt Disney Company

Time Warner Inc.

Twitter Inc.

U.S. Chamber of Commerce

Univision Communications Inc.

Viacom Inc.

Zeughauser Group LLC

## **GOVERNMENT AGENCIES**

Agency for Healthcare Research  
and Quality

Army Corps of Engineers

Bureau of Labor Statistics

Centers for Medicare & Medicaid  
Services

Cheyenne River Sioux Tribe

Commodity Futures Trading  
Commission

Council on Environmental Quality

Delaware River Basin  
Commission

Department of Commerce

Equal Employment Opportunity  
Commission

European Commission

Executive Office of the President

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications  
Commission

Federal Emergency Management  
Agency

to protect endangered sea turtles from shrimp fishing operations off the southeastern U.S. coast, after the government agreed to propose a rule to help fix the problem.

## MEDIA & ENTERTAINMENT

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### **House Passes Online Ticket Sales, Review Protection Bills**

The U.S. House of Representatives on Monday set new targets for the Federal Trade Commission, passing bills that put in the agency's crosshairs entities that use "bots" to buy online tickets for resale en masse and those that use consumer agreements to stifle online reviews.

### **Congress Planning On Patent, Copyright Changes, Rep. Says**

While legislation targeting abusive patent litigation has stalled in the current Congress, lawmakers plan to revive the effort after the November election while also pushing forward on legislation to amend copyright law, Rep. Hakeem Jeffries, D-N.Y., said Monday.

## TRANSPORTATION & INFRASTRUCTURE

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### **DC Circ. Declines To Reconsider Amtrak Due Process Ruling**

The D.C. Circuit on Friday refused to reconsider its recent ruling that a federal law allowing Amtrak to set performance and scheduling standards along the nation's passenger railways violated the due process rights of freight railroads using the same tracks.

### **Enviros, EPA Move To Dismiss Suit Over Aircraft Emissions**

Environmental groups and the U.S. Environmental Protection Agency asked a federal judge on Friday to toss a lawsuit the groups brought to force the agency to promulgate long-awaited carbon emissions standards for aircraft, less than two months

Federal Railroad Administration  
Federal Trade Commission  
Fish and Wildlife Service  
Government Accountability Office  
Internal Revenue Service  
Library of Congress  
National Aeronautics and Space Administration  
National Institutes of Health  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
New Jersey Legislature  
Office of Foreign Assets Control  
Pechanga Band of Luiseno Indians  
Port Authority of New York & New Jersey  
Securities and Exchange Commission  
Skokomish Indian Tribe  
Smithsonian Institution  
Standing Rock Sioux Tribe  
U.S. Air Force  
U.S. Army  
U.S. Attorney's Office  
U.S. Copyright Office  
U.S. Department of Agriculture  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency

after the EPA's final finding that greenhouse gas emissions from aircraft are harmful to humans.

### **GWB Scandal Figure Fights Claim He Wanted To Impress Gov.**

A former public official preparing to go on trial over the George Washington Bridge lane closures urged a New Jersey federal court Sunday to exclude evidence that he sought to curry favor with Gov. Chris Christie by punishing a local mayor, claiming that prosecutors presented the theory only last month.

## **EMPLOYMENT**

### **Builders Ask 1st Circ. To Limit Mass. Sick Pay Law**

Massachusetts building trade groups asked a First Circuit panel Monday to limit the commonwealth's new paid sick time law, arguing that federal law preempts state-based wage claims for union workers under collective bargaining agreements.

### **Feds Seek To Clarify Scope Of Transgender Bathroom Ruling**

The federal government asked a Texas federal judge on Monday to clarify the scope of a ruling that blocked the Obama administration from enforcing new transgender bathroom rules, including whether the ban should apply nationwide.

### **3rd Circ. Revives Preemption Fight Over Jersey City Tax Law**

The Third Circuit revived a federal preemption challenge Monday brought against Jersey City, New Jersey, over an ordinance requiring developers seeking tax breaks to observe certain labor practices, finding that because the city lacks a proprietary interest in tax-abated projects, it enforces its rules as a regulator, not a market participant.

U.S. General Services  
Administration

U.S. House of Representatives

U.S. Senate

U.S. Supreme Court

Western Area Power  
Administration

## COMPETITION

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### **Gov't Witness In Fattah Case Gets 4 Years' Probation**

A onetime adviser to former U.S. Rep. Chaka Fattah, D-Pa., who testified as a government witness in the corruption case against the ex-congressman and others, was sentenced to four years of probation on Friday for helping arrange an illegal contribution for Fattah's 2007 Philadelphia mayoral campaign, the U.S. Attorney's office confirmed on Monday.

## GOVERNMENT CONTRACTS

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### **GSA Expands Cybersecurity Options For Gov't Agencies**

The General Services Administration on Monday formally rolled out its expansion to its information technology schedule to give federal agencies more options to purchase cybersecurity services, part of a broader federal cybersecurity action plan.

### **Senate Could Vote On Stopgap Funding This Week**

The Senate could vote on a measure this week to keep the government funded into December, after Majority Leader Mitch McConnell, R-Ky., filed a motion for short-term funding that would keep general funding flat along with measures for veteran care and to combat the spread of the Zika virus.

## INTERNATIONAL TRADE

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### **India Moves To Sink US Green Energy Initiatives At WTO**

India's tussle with the U.S. over clean energy policy at the World Trade Organization has grown more acrimonious as New Delhi filed a dispute over subsidies and local content requirements in eight U.S. states, alleging that the programs have flouted international rules, the WTO said Monday.

## TAX

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### **Altera Says Tax Court Rightly Nixed IRS Cost-Sharing Rule**

Chipmaker Altera Corp. hit back against the Internal Revenue Service's bid to resurrect its court-invalidated rule regarding stock-based compensation in cost-sharing agreements, telling the Ninth Circuit late Friday that the U.S. Tax Court was right to conclude the agency had defied reasonable decision-making.

### **NJ Lawmakers Advance Bill To Fight Corporate Inversions**

A New Jersey Senate committee on Monday advanced legislation to prohibit awarding state contracts and development subsidies to companies that seek to reduce their taxes through so-called inversion transactions.

### **DC Group Issues Paper Calling For Stronger Corporate Tax**

A Washington, D.C.-based research group, whose executive director has been tapped as the chief economist for Hillary Clinton's transition team, released a paper Monday promoting different methods of corporate tax reform focused on the revenue needs of the federal government.

## IMMIGRATION

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### **Union Fires Back In Latest Optional Practical Training Case**

A technology union urged the D.C. federal court Friday to deny a Department of Homeland Security bid to toss its case challenging a revised foreign student work rule, saying it has sufficiently pled that its members work in fields targeted for additional foreign labor and are harmed as a result.

### **Shepherds' Case Survives In H-2A Wage Fight**

A Washington, D.C., federal judge on Friday refused to toss a suit from a putative class of

shepherds alleging that the H-2A visa program's wage rule depresses pay, saying the shepherds have stated plausible claims against the federal government.

## **NATIVE AMERICAN**

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### **Native American Tourism Bill Heads To President's Desk**

Congress sent a measure requiring federal agencies to better plan for Native American tourism opportunities to the president's desk Monday after the bill passed the House on a voice vote.

### **Calif. Rep. Floats Pechanga Band Water Rights Pact Bill**

A California lawmaker on Friday introduced a bill that would ratify a settlement between the Pechanga Band of Luiseno Indians, the state, the federal government and certain local water districts, setting out the tribe's long-disputed water rights in the Santa Margarita River Watershed.

### **Wash. Tribe Presses To Toss Rival's Hunting Grounds Suit**

Members of the Suquamish Tribal Council and the tribe's fisheries director pressed a Washington federal court on Friday to nix the Skokomish Indian Tribe's suit accusing them of encroaching on its hunting grounds, arguing that the dispute fails on three premises.

### **Tribes May Have More Say In Projects After Dakota Pipeline**

The Obama administration's recent construction freeze on part of the controversial Dakota Access pipeline and promise to rethink how Native American tribes are consulted may lead to tribes getting not only more opportunity to voice concerns but also the power to determine how, or even if, infrastructure projects affecting their rights are allowed to proceed.

## **TELECOMMUNICATIONS**

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### **DC Circ. Won't Revive Low-Power TV Auction Challenges**

The full D.C. Circuit refused Friday to revive a challenge by a low-power TV station and low-power TV investors to the Federal Communications Commission's upcoming spectrum auction, which could take some of the small local stations off the air.

### **CBS Wants No FCC Licensing Involvement In Set-Top Plan**

Disney, CBS and other programmers have said that they remain "strongly opposed" to any Federal Communications Commission plan to unlock competition in the set-top box market that includes agency involvement in the licensing process, the same day FCC Chairman Tom Wheeler unveiled his revised plan.

### **EXPERT ANALYSIS**

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### **The Right Side Of History: Obama's Administration And DAPL**

After the District of Columbia denied the Standing Rock Sioux Tribe's request for an injunction against the controversial Dakota Access Pipeline, the Obama administration sided with the tribe. However, this lawsuit may just be the opening salvo in a much larger battle for tribal rights, says Professor Matthew Fletcher of Michigan State University College of Law.

### **An End-Of-Summer Push On Environmental Mitigation Policy**

The final week of August saw several important developments in what is proving to be a very consequential year for federal environmental mitigation policy. Thomas Jensen and Sandra Snodgrass of Holland & Hart LLP highlight key features and implications of each new development.

### **What To Expect From The Future Of Health Care**



Today health care organizations see us as consumers and are committed to a cultural shift that will reposition us as members. This process is an important, strategic effort by many of the largest health systems and there is regulatory and empirical support for it, say attorneys with Bryan Cave LLP.

### **Extraction Payment Rule May Lead To More FCPA Scrutiny**

New U.S. Securities and Exchange Commission rules for resource extraction issuers will create a mandatory disclosure requirement for certain payments that have traditionally fallen under the Foreign Corrupt Practices Act and have not been subject to a mandatory disclosure requirement. An effect is a likely increase in voluntary FCPA disclosures and FCPA investigations, say Lara Covington and Lisa Prager of Holland & Knight LLP.

### **IRS' Management Contract Safe Harbors: Some Observations**

The IRS recently issued guidance that generally provides greater flexibility to a state, local government or nonprofit entity that funds projects with tax-advantaged bonds. However, government and nonprofit entities, when entering into management contracts with third parties, should not necessarily alter their sound business practices in negotiating contract terms as a result of the new safe harbors, say attorneys with Locke Lord LLP.

### **Rise In Whistleblower Claims Likely With New CFTC Rules**

Recently proposed regulations would enable the U.S. Commodity Futures Trading Commission to bring enforcement actions against employers that retaliate against whistleblowers, and would expand the agency's authority into an unprecedented area insofar as policing energy and other market participants is concerned, say attorneys with Morgan Lewis & Bockius LLP.

LEGAL INDUSTRY

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### **Kirkland Chasing Prestige Of Rivals With Bancroft Power Play**

Kirkland & Ellis LLP's hire of Paul Clement and the entire Bancroft PLLC legal team, announced Monday, creates one of the most formidable appellate practices in the U.S., but experts say the move may also be driven by forces outside a desire to dominate at the Supreme Court.

### **Paul Clement, Bancroft Firm To Join Kirkland & Ellis**

Kirkland & Ellis LLP has snapped up the entire 17-attorney team at renowned appellate firm Bancroft PLLC, home to former solicitor general and prolific U.S. Supreme Court litigator Paul D. Clement, Kirkland & Ellis said Monday.

### **How Paul Clement Ended Up At Kirkland**

Widely considered one of the elite advocates of the U.S. Supreme Court, Paul Clement's legal education hasn't been so single-minded. Along with his law degree, Clement studied economics and has held a handful of private and public-sector jobs on his way to Kirkland & Ellis LLP this week.

### **Cybersecurity Becoming Big Issue For GCs, Report Says**

General counsel at firms around the world have seen their responsibilities grow over the years, and a Monday report finds that such is only going to increase as issues ranging from cybersecurity to social media risks come more and more under their purview.

### **Norton Rose Boosts Canadian Presence With Firm Takeover**

Global law firm Norton Rose Fulbright established a new presence on the west coast of Canada, seeking to enter the country's fastest growing economy by combining with British Columbia-based Bull Housser & Tupper

LLP, the firm announced in a statement on Monday.

### **Cleary Gottlieb Taps Longtime Partner As New Leader**

Cleary Gottlieb Steen & Hamilton LLP on Monday announced that longtime financial investments partner Michael Gerstenzang will become the firm's new managing partner next year, as veteran antitrust partner Mark Leddy is set to leave the position.

### **4 Practice Areas Where NJ Firms Are Hiring**

Real estate has emerged as one of the busiest practice areas in which New Jersey law firms are hiring as the state continues its climb out of the recession, while intellectual property and corporate compliance have also found themselves in high demand in the wake of regulatory updates and landmark court rulings. Here are the sectors experts view as hotbeds of employment opportunities for attorneys who want to work in New Jersey.

### **Pro Bono Firm of 2016: Akin Gump**

Lobbying for millions of dollars in childhood cancer research, fighting to hold Bolivian officials responsible for human rights violations and working to restore a deaf man's dignity after he was wrongfully jailed for weeks have earned Akin Gump a spot as one of Law360's Pro Bono Firms of 2016.

### **Rainmaker Q&A: Quarles & Brady's Stephanie Quincy**

Not every client will be a fit or a "win." Instead of focusing on just our wins or (perceived) losses, I always step back and look at the bigger picture. Oftentimes what I learn from a loss is far greater than from even the biggest of wins, says Stephanie Quincy, a partner in Quarles & Brady LLP's labor and employment group.

### **Rainmaker Q&A: Schulte Roth's David Nissenbaum**

It doesn't matter whether or not you play golf. Work hard every day of your career to establish a solid foundation of legal and business knowledge. You can't succeed at rainmaking over the long term unless you really know your stuff, says David Nissenbaum, a partner at Schulte Roth & Zabel LLP.

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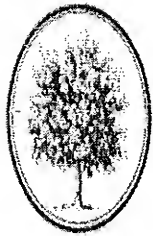
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**From:** The Buckeye Institute  
**Sent:** Tuesday, September 13, 2016 4:19 PM  
**To:** Rep93  
**Subject:** U.S. Supreme Court decides on Ohio



## THE BUCKEYE INSTITUTE

### **U.S. Supreme Court: Ohio law on early voting will stand, Buckeye's Legal Center celebrates victory**

The final "vote" is in: The integrity of Ohio's early voting process will not be threatened, as the U.S. Supreme Court declined today to hear an appeal to overturn the state's generous early voting law. The Buckeye Institute's Legal Center supported the Ohio law in its legal briefing to the courts.

Today's decision is also a significant victory for Secretary of State Jon Husted, who defended the Ohio law.

"Ohio voters can go to the polls this fall knowing the integrity of the state's electoral process is more protected," Daniel J. Dew, Buckeye's criminal justice fellow said last month when the U.S. Court of Appeals for the Sixth Circuit ruled in Buckeye's favor. "Ohio voters, our law-making system, and the entire nation who will be watching our state this November won today."

The Buckeye Institute's Legal Center litigates at the local, state, and federal levels. It has submitted legal briefs to various courts, including the Supreme Court of the United States.

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution—a think tank—whose mission is to advance free-market public policy in the states.

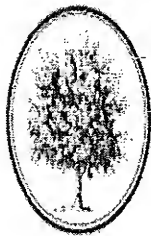
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**Subject:** The right to vote



## THE BUCKEYE INSTITUTE

Workers deserve a voice — and a vote. As we showed in our Labor Day report, too many public and private sector workers don't have that opportunity. That is why The Buckeye Institute is telling their story.

Today, in [The Columbus Dispatch](#), Buckeye's Rea S. Hederman Jr. wrote about how:

In two months, Ohioans will have the ultimate say on whether their public officials are representing them adequately. If they aren't, voters can bring about a change. Workers should have those same rights when it comes to their union representation.

After just one election, a union will remain workers' bargaining voice indefinitely, regardless of whether its leaders are keeping their campaign promises, spending members' dues properly, or representing employees appropriately in contract negotiations.

But don't take just our word for it. One national union leader admitted to the Washington Post that his union had taken "things for granted. We stopped communicating with people, because we didn't feel like we needed to." Worker voting rights no doubt would inspire that same leader, and others, to take a different approach.

For Rea's full story in the Dispatch, [click here](#). To learn more about what worker voting rights could do for Ohio, [click here](#) for The Buckeye Institute's latest report, "One Man, One Vote, One Time?"

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution—a think tank—whose mission is to advance free-market public policy in the states.

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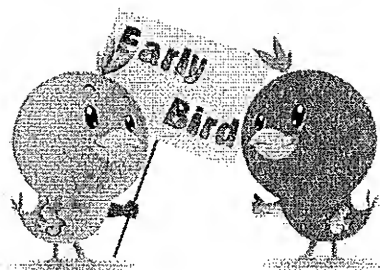
U.S. Senator Thom Tillis (NC)



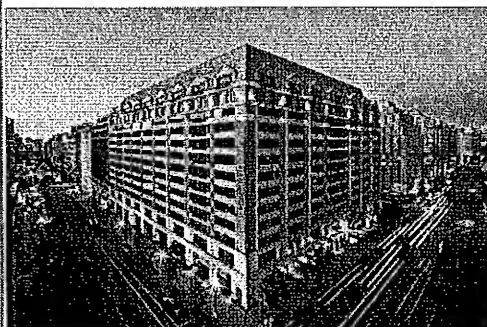
Wall Street Journal Columnist  
Kimberley Strassel

*“ Few Americans have heard of ALEC. But there’s a case to be made that no one policy organization has touched the daily lives of more Americans.*

*— Kimberley Strassel*



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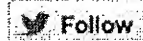
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**Subject:** Sen. Panel Advances Judge Koh's 9th Circ. Nomination



Friday, September 16, 2016



## TOP NEWS

### **Sen. Panel Advances Judge Koh's 9th Circ. Nomination**

The Senate Judiciary Committee on Thursday voted 13-7 to advance U.S. District Judge Lucy H. Koh's nomination for the Ninth Circuit Court of Appeals, despite concerns from one member that her 2015 decision requiring a warrant for cellphone location information was "judicial activism."

### **Feds Crack Down On Multinationals' Foreign Tax Credits**

The ability of multinational companies to lower their U.S. tax bills by claiming a credit for taxes paid abroad may soon be limited, after the U.S. Department of the Treasury revealed Thursday it is drafting rules to curb this practice when foreign governments make tax adjustments.

### **Clinton Says She Would Look Beyond Garland For High Court**

Democratic presidential candidate Hillary Clinton said Thursday she would consider alternatives to Judge Merrick Garland for the current U.S. Supreme Court vacancy if she were elected in November, suggesting the search would include more-diverse nominees than Garland, whose confirmation has languished in the Senate since March.

## LAW FIRMS

Adams Stepner  
Akin Gump  
Baker Botts  
Bancroft PLLC  
Barnes & Thornburg  
Caldwell Leslie  
Carpenter Lipps  
Chadbourne & Parke  
Cole Scott  
Cooley  
Covington & Burling  
Cravath Swaine  
Crowell & Moring  
Davis Polk  
Earthjustice  
Focal PLLC  
Fox Rothschild  
Freund Freeze  
Goodwin  
Greenberg Traurig  
Gunster  
Hogan Lovells  
Hooper Lundy  
Hunton & Williams  
K&L Gates  
Kelley Kronenberg

### **TTIP Outlook Still Murky Following Top-Level Meeting**

U.S. Trade Representative Michael Froman and European Union Trade Commissioner Cecilia Malmstrom emerged from a closely watched huddle on Thursday with few details about the path forward for the Transatlantic Trade and Investment Partnership negotiations.

### **Trump Energy Agenda Would Ax Clean Power Plan, Water Rule**

Republican presidential nominee Donald Trump released details Thursday of his proposed energy policy, which includes scrapping the U.S. Environmental Protection Agency's Clean Power Plan and Waters of the United States rule and opening more federal lands and waters to oil and gas development.

### **House Panel To Hold IRS Chief Impeachment Hearing**

The House Judiciary Committee will hold a hearing on the potential impeachment of Internal Revenue Service Commissioner John Koskinen, as part of a deal announced late Wednesday that would avoid an effort from conservative Republicans to force a floor vote to remove the IRS head.

### **Judge Sues County Board To Challenge Alleged Faux-Judge**

A Cook County, Illinois judge hoping to challenge a law clerk accused of donning another judge's robes and ruling on cases for a Chicago judgeship filed a lawsuit Wednesday in the county court to force the city election authority to count her votes.

### **Don't Clarify Ky. Political Speech Ruling, 6th Circ. Told**

A Kentucky judicial candidate in a battle with the state's Judicial Conduct Commission over limits on political speech while campaigning told the Sixth Circuit on Wednesday that there is no need to clarify the scope of its recent decision

Kellogg Huber  
Kilpatrick Townsend  
Kirkland & Ellis  
Latham & Watkins  
Lewis Longman  
McDermott Will  
Mishcon de Reya  
MoloLamken LLP  
Morgan Lewis  
Morris Manning  
Norton Rose Fulbright  
Odelson & Sterk  
Pillsbury Winthrop  
Proskauer Rose  
Ropes & Gray  
Sanford Heisler  
Sidley Austin  
Simpson Thacher  
Stites & Harbison  
Venable LLP  
White & Case

### **COMPANIES**

AARP Inc.  
AT&T Inc.  
Aetna Inc.  
Allergan PLC  
Alliantgroup LP  
Altman Weil Inc.  
Amazon.com Inc.  
American Bar Association  
American Civil Liberties Union  
American College of Trial Lawyers  
American Petroleum Institute Inc.  
Anacor Pharmaceuticals Inc.  
Anthem Inc.  
Apple Inc.  
Baker Hughes Inc.  
Bayer AG

finding the rules unconstitutional because the opinion completely invalidated them.

## ANALYSIS

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### **Environmental Highlights From Senate's \$9.4B Water Bill**

While the \$9.4 billion version of the Water Resources Development Act passed by the U.S. Senate on Thursday isn't as sweeping as legislation from previous years, it does feature some major provisions, including giving states more flexibility in implementing coal-ash standards and funding major ecological restoration projects in Florida and Los Angeles.

## BANKING & SECURITIES

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### **CFTC Chair Seeks To Delay Drop In Swap Threshold**

The head of the U.S. Commodity Futures Trading Commission said Thursday he will recommend the agency delay a scheduled drop in the threshold for swap dealer registration, giving the agency more time to consider a controversial planned expansion in how many firms must register.

### **SEC Judge Challenges Tossed After 11th Circ. Decision**

A Georgia federal judge has formally tossed constitutional challenges to the U.S. Securities and Exchange Commission's in-house court by investment firm Gray Financial Group Inc. and real estate developer Charles L. Hill after the Eleventh Circuit declined to revisit its decision ordering as much.

### **CFTC Nominees Poised For Approval After Senate Hearing**

Lawmakers on the Senate Agriculture Committee appeared poised to approve two nominees for the U.S. Commodity Futures Trading Commission when questioning the would-be commissioners on Thursday, despite disagreement between Democratic and GOP

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CTIA  
Cephalon, Inc.  
Cisco Systems Inc.  
Dow Chemical Co.  
Florida Trend  
GlaxoSmithKline  
Google Inc.  
Halliburton Company  
Hubbell Inc.  
Humana Inc.  
Kirkland's, Inc.  
McDonald's Corporation  
McGraw Hill Financial Inc.  
Medivation, Inc.  
Monsanto Company  
Murray Energy Corp.  
Mylan NV  
National Association of Manufacturers  
National Cable & Telecommunications Association  
Nationwide Mutual Insurance Co.  
Natural Resources Defense Council  
New York Times Co.  
Newegg Inc.  
Office Depot Inc.  
Pfizer Inc.  
PhRMA  
Physicians for Social Responsibility  
Public Company Accounting Oversight Board  
Ranbaxy  
Samsung Electronics Co. Ltd.  
Sierra Club  
Staples, Inc.  
Starbucks Corporation

lawmakers over whether the CFTC needs a bigger budget.

## ENERGY & ENVIRONMENTAL

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### **Senate Passes \$9.4B Water Infrastructure, Flint Aid Bill**

The U.S. Senate passed a bill Thursday authorizing more than \$9.4 billion in projects to repair and improve waterway infrastructure across the country, as well as aid for communities like Flint, Michigan, with contaminated water supplies.

### **Ozone Rule Foes Tell DC Circ. EPA's New Standards Fail**

States, industry groups and health advocacy groups involved in the legal tug-of-war over the U.S. Environmental Protection Agency's new ambient air quality standards for ozone further lobbied the D.C. Circuit to invalidate the new limits on Wednesday, saying the EPA's defense of its new standards doesn't hold up.

### **EPA Reneging On Perchlorate Deadline, NRDC Says**

The U.S. Environmental Protection Agency is going back on an admission it failed to promulgate regulations on a toxic chemical that can pollute drinking water, the Natural Resources Defense Council told a New York federal court Wednesday amid the two sides' disagreement over what the EPA's timeline to finalize regulations is.

### **NY Releases Details On Initial Offshore Wind Farm Plans**

New York state officials on Thursday released a 24-page blueprint report on where and how it plans to generate offshore wind energy from turbines in the Atlantic Ocean, a plan that plays into newly adopted standards to deliver 50 percent of the state's electricity demand from renewable resources by 2030.

Syngenta AG  
Tata Consultancy Services Ltd.  
The Walt Disney Company  
U.S. Chamber of Commerce  
Verizon Communications  
Yelp Inc.

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Bureau of Ocean Energy Management  
Commodity Futures Trading Commission  
European Commission  
Executive Office for Immigration Review  
Federal Communications Commission  
Federal Emergency Management Agency  
Federal Trade Commission  
Florida Department of Environmental Protection  
Government Accountability Office  
Illinois Supreme Court  
Internal Revenue Service  
International Trade Commission  
National Oceanic and Atmospheric Administration  
Port Authority of New York & New Jersey  
Securities and Exchange Commission  
Seminole Tribe of Florida  
Texas Attorney General's Office  
U.S. Air Force  
U.S. Army  
U.S. Department of Agriculture  
U.S. Department of Defense

## **Miami, Seminoles Lose Challenges To Proposed Water Regs**

An administrative law judge has tossed consolidated cases in which the Seminole Tribe of Florida, the city of Miami, a county and a group representing pulp and paper manufacturers challenged a proposed rule that would revise the state's surface water quality standards, saying they had been filed too late.

## **HEALTH & LIFE SCIENCES**

### **Drug Cos. Would Have To Justify Price Hikes Under New Bills**

U.S. Sens. John McCain, R-Ariz., and Tammy Baldwin, D-Wis., and Rep. Jan Schakowsky, D-Ill., on Thursday introduced bills which would require companies that increase their drug prices more than 10 percent at once to justify that raise to the public in an effort to increase transparency.

## **TRANSPORTATION & INFRASTRUCTURE**

### **Feds Fight Bid To Limit Evidence Of Motive For GWB Scandal**

Prosecutors preparing for a trial over the George Washington Bridge lane closures pushed back Thursday against a motion to exclude evidence that one of the defendants had tried to curry favor with New Jersey Gov. Chris Christie, arguing that the government may present such proof of the defendant's motive.

## **EMPLOYMENT**

### **DOJ Says States Don't Understand Gender Identity Ruling**

The U.S. Department of Justice on Wednesday told a Texas federal court that the 13 states challenging federal guidance that transgender public school students must be allowed to use the bathroom matching their gender identity

U.S. Department of Health and Human Services

U.S. Department of Justice

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Office of Personnel Management

U.S. Patent and Trademark Office

U.S. Senate

U.S. Supreme Court



have misunderstood how a block on the ruling should apply.

### **Medicare Wage Rule Is Invalid, Hospitals Tell DC Circ.**

Nearly 100 hospitals that lost a challenge to how Medicare reimbursement is adjusted based on local labor costs asked the D.C. Circuit on Wednesday to revive their case, arguing that the U.S. Department of Health and Human Services improperly implemented the rule.

## **COMPETITION**

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### **GCs Increasingly Spending Time Sweating Antitrust Actions**

A quarter of the 600 corporate in-house attorneys Norton Rose Fulbright surveyed about litigation trends say their companies have spent more time dealing with antitrust or competition-matters this year than the year before, according to results released Thursday.

## **GOVERNMENT CONTRACTS**

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### **DOD Outlines Approach For Union Construction Contracts**

The U.S. Department of Defense issued updated guidance Wednesday outlining how Pentagon agencies should handle project-specific collective bargaining agreements for major construction work and if the agencies should pursue such agreements at all, based on factors including geographic area and labor needs.

### **Temporary Budget Deals Hurting Planning, DOD Brass Says**

The Joint Chiefs of Staff on Thursday criticized the ongoing use of continuing resolutions for federal spending, saying related budget uncertainty had driven up the cost and time requirements for almost everything the Pentagon does.

### **McCaskill Says Air Force Drone Contracting Isn't A Good Fix**

Sen. Claire McCaskill, D-Mo., urged the U.S. Air Force on Wednesday to explain its ongoing use of civilian contractors as operators of unmanned aerial vehicles, questioning whether the move is a counterproductive response to growing demand for drone operations.

## **INTERNATIONAL TRADE**

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### **Canadians Say Lumber Duties Cost American Consumers \$6B**

As a deadline for a new U.S.-Canada softwood lumber trade agreement approaches, a Canadian economic think tank Thursday called for lower trade barriers in the new agreement, arguing the current tariffs have cost U.S. consumers nearly \$6 billion over the past nine years.

### **ITC Unveils Web Portal For New Tariff-Cutting Process**

The U.S. International Trade Commission on Wednesday unveiled a new portal on its official website devoted exclusively to helping companies navigate the new miscellaneous tariff bill process, which puts the ITC at the forefront of the effort to slash tariffs on hundreds of imported goods.

## **TAX**

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### **IRS Budget Cuts Blamed For Costly Audits Of Small Biz**

An inadequate budget and low staffing levels at the Internal Revenue Service are seen as the root causes of prolonged audits that have cost small businesses exorbitant amounts, according to experts who testified before the House Small Business Committee on Wednesday.

## **IMMIGRATION**

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## **Clinton, Trump Tackle Skilled Foreign Worker Issues**

Presidential candidates Hillary Clinton and Donald Trump recently weighed in on issues involving skilled foreign workers in responses released by a science advocacy group, with Clinton pushing for green cards for certain international graduates and Trump offering thoughts on the H-1B program.

## **Asylum Applications Can Now Be Filed By Mail, DOJ Says**

Applications for asylum, withholding of removal and protection under the Convention Against Torture are no longer required to be filed at a master calendar hearing and can instead be filed in-office or by mail, according to a Wednesday memo from the U.S. Department of Justice's Executive Office for Immigration Review.

## **TELECOMMUNICATIONS**

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### **FCC Chair Defends Set-Top Box Plan From Senate Critics**

Federal Communications Commission Chairman Tom Wheeler on Thursday defended his plan to unlock set-top boxes, relying on statutory mandates and the costs incurred by consumers even as he told at-times-critical lawmakers that he was open to tweaks to allay industry concerns.

### **Industry Urges Strong Senate Oversight Of FCC Privacy Plan**

A group of major telecom trade associations pushed the leaders of the Senate's Commerce, Science and Transportation Committee on Wednesday ahead of a Thursday oversight hearing to keep a close eye on the Federal Communications Commission's continued work to set privacy rules for broadband providers, saying it is a time of "critical importance" for the proceeding.

## **Startups Urge Congress To Support FCC Special Access Plans**

The market for business data services must be reformed under a plan by the Federal Communications Commission, a group of startup companies wrote to Congress on Wednesday, saying the issue is key for the startup economy.

## **Rep. Says FCC Republicans Have Withheld Open Internet Docs**

The Top Democrat on the House Oversight and Government Reform Committee blasted the two Republican commissioners at the Federal Communications Commission on Wednesday for allegedly failing to respond to document requests on the process behind the FCC's net neutrality decision last year, calling it "unacceptable."

## **EXPERT ANALYSIS**

### **Sen. Leahy On The AIA's 5th Anniversary**



Enactment of the America Invents Act was more than a victory for American inventors; it was a demonstration that Congress could still work in a bipartisan, bicameral manner. It showed what we can achieve when we put aside rhetoric and negotiate in good faith, says Sen. Patrick Leahy, D-Vt.

### **Rep. Smith On The AIA's 5th Anniversary**



While the primary purpose of the America Invents Act was to improve the validity of the patent-granting process, the legislation included a narrow provision to improve patent litigation. Unfortunately, some activist judges have ignored this new tool, says Rep. Lamar Smith, R-Texas.

## LEGAL INDUSTRY

### **Why More High Court Boutiques May Follow Bancroft's Lead**

While the legal community was caught by surprise by the union of Kirkland & Ellis LLP and crack U.S. Supreme Court boutique Bancroft PLLC, experts said even the most successful appellate practices might look to a large firm for the cure to a common malady: not enough cases to go around.

### **Atty Hits Back After Chadbourne Female Partners Assail Suit**

Plaintiffs' attorney David Sanford told the female Chadbourne & Parke LLP partners who'd disavowed a \$100 million proposed gender discrimination class action against the firm in a letter earlier this week that other lawyers at the firm had said his complaint captured the situation at Chadbourne.

### **GC Reliance On Alternative Fees Shows No Signs Of Slowing**

The use of alternative fee arrangements by corporate counsels is still on the rise, according to survey results released Thursday that found a larger portion of in-house attorneys are using AFAs in 2016 than were in 2015 and are spending a bigger chunk of their budgets on the fee arrangements.

### **GCs Dealing With More Litigation As Economy Wavers**

Litigation against companies is still on the rise as an additional 6 percent of organizations surveyed faced a lawsuit in the last year, an increase due mainly to continuing economic turmoil, particularly in the energy and oil markets, according to a new study from Norton Rose Fulbright.

### **Latham Launches Program To Ship Milk For Traveling Moms**

Latham & Watkins LLP on Wednesday rolled out a program to help traveling attorneys who are breastfeeding store and ship their milk back home as part of a suite of programs at the firm to support new parents coming back to work.

### **Law360's Weekly Verdict: Legal Lions & Lambs**

Kirkland & Ellis LLP has lured to its fold all 17 attorneys at appellate powerhouse Bancroft PLLC, including former Solicitor General Paul Clement, earning it Law360's top legal lion spot this week, while ex-Simpson Thacher & Bartlett LLP managing clerk Steven Metro landed on the list of legal lambs after he was sentenced to 46 months in prison for an insider trading conviction.

### **Pro Bono Firm Of 2016: Caldwell Leslie & Proctor**

Caldwell Leslie & Proctor PC's pro bono efforts over the last year have led to the removal of a Christian cross from the Los Angeles County seal and the release of a transgender woman detained for four years while fighting her removal to Mexico, landing the practice a spot among Law360's Pro Bono Firms of 2016.

### **Rainmaker Q&A: Kirkland & Ellis' James Hurst**

Once, when I just started acting as a lead attorney and probably looked too "young," I landed a skeptical client by inviting them to call a competitor who I had recently faced at trial. I

mostly crossed my fingers and hoped the opposing counsel would say something nice, says James Hurst, partner at Kirkland & Ellis LLP.

### **Rainmaker Q&A: Kelley Kronenberg's Howard Wander**

Always be willing to talk to anyone and everyone. You never know who you are going to meet. You may meet someone who does not fit your prospect profile, but just because they don't fit, does not mean they won't know someone who does, says Howard Wander, principal partner at Kelley Kronenberg.

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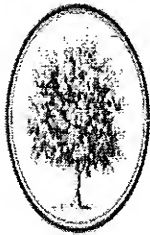
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**From:** The Buckeye Institute  
**Sent:** Friday, September 16, 2016 9:37 AM  
**To:** Rep93  
**Subject:** Jobs report shows labor takes dramatic hit



## THE BUCKEYE INSTITUTE

### **Ohio workforce again takes a dramatic hit, August jobs report shows**

**MEDIA CONTACT:** Jeff Reed, (614) 224-3255

COLUMBUS—Ohio's labor force suffered a dramatic hit in August, with 24,000 state residents no longer looking for work. Unemployment dropped slightly to 4.7 percent from 4.8 percent, but a policy analyst with Ohio's free-market think tank said that change was a result of the state's shrinking workforce.

Today's jobs report from the Ohio Department of Job and Family Services mirrors its last report, which found that 24,000 residents left the workforce in July. In addition, this month's report shows Ohio's private sector shed 5,000 jobs in August while government added 3,000. Both trends worry Joe Nichols at The Buckeye Institute.

"Three straight months of bad economic news after a strong start to the year for Ohio's labor market means there's clearly more work that needs to be done to improve the state's job climate," Nichols said. "Reforming Ohio's tax code and business regulations can put Ohio employers in a stronger position to hire, promote, and reward employees."

The most job losses in Ohio came in administrative, support, and waste services positions, with a total 3,400 jobs lost, a drop of 1.1 percent. The



most job gains in August occurred in real estate, rentals, and leasing, adding around 1,000 positions, or 1.5 percent.

"A strong private sector ensures more opportunities for workers and adequate funds for needed government services," Nichols said. "Ohio clearly needs more reform to get employers, small businesses, and workers in a position where they can build up the economy and again make Ohio a national leader."

The Buckeye Institute analyzes Ohio's unemployment rate to identify policy solutions for increasing job opportunities and strengthening the state economy.

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution—a think tank—whose mission is to advance free-market public policy in the states.

The Buckeye Institute, 88 East Broad Street,  
Suite 1120, Columbus, OH 43215

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Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** Republican Liberty Caucus of Ohio

**Sent:** Monday, September 19, 2016 2:22 PM

**To:** info@rlcoh.org

**CC:** Ann Becker; Bill Yarbrough; Cameron Smith; Kelly Sanders; Mark Zetzer; Mat Erickson; Matt Nye; Michael Newbern; Scott Jerzyk; Ashtabula County GOP; Bart Westfall; Belmont County GOP; Beth Votaw; Bill Hitchcock; Bob Brobst; Bob Essig; Bob Golden; Bob Hegfield; Bob Short; Bob Sperling; Bonnie Chapin; Brent Wilson; Brian Davis; Brian Wieland; Butler County GOP; Carol Lovas; Carrie Schlade; Carroll County GOP; Casey Kozlowski; Celeste Corbiserro; Charlie Frye; Cindy Spink; Clark County GOP; Cleveland YR; Clint Jackson; Columbiana County GOP; Connie Martin; Crawford County GOP; Cuyahoga County GOP; Dave Campbell; David Brown; Delaware County GOP; Doc Malinowski; Don Smith; Ed Kidston; Erie County GOP; Fairview Park GOP; Franklin County GOP; Greene County GOP; Hancock County GOP; Holmes County GOP; Isaac Arthur; Jason Keeler; Jason Rockey; Jeff Erb; Jeff Magyar; John Bernardo; John Drinnon; John Kusar; Karrie Blair; Kevin Whitlock; Kim Herman; Knox County GOP; Lake County GOP; Lee Sherkey; LeRoy Feather; Lew Hilkert; Lucas County GOP; Marion County GOP; Medina County GOP; Melissa Pope; Morrow County GOP; Nancy Kister; Nick Wayman; Ottawa County GOP; Patti Rockey; Paul Stumpff; Phil Schmidt; Portage County GOP; Putnam County Republican Party; Sam Santa Rita; Scott Towers; Seneca County GOP; Shelby County GOP; Stark County GOP; Summit County GOP; Summit County Tea Party; Summit County YR; Terry Rummel; Tim Friend; Todd Fenalson; Tom Oneill; Tuscarawas County GOP; Twinsburg Republican Club; Wood County GOP; 10TV; 610WTVN; 893FMWCSB; ABCNews; AlanJohnston; AlanMiller; AllianceReview; AndrewWelshHuggins; AnnieZelm; AssociatedPress; AthensNews; BarbaraCarmen; BarbertonHerald; Bertramde Souza; BillCohen; blilley; BMarrison; BobbyWarren; BrentLarkin; BrianWilson; BuckBuchanan; bwinges; CambridgeDailyJeffersonian; CarolLuper; CaseyBraun; CathyCandisky; CD101morningshow; CharitaGoshay; CherylWelch; ChrisBalusik; ClevelandAreaEvents; ClevelandScene; ColumbusDailyReporter; ColumbusFreePress; ColumbusPost; ColumbusThe OtherPaper; DarrelRowland; DavidSkolnick; DebMarin; DefianceCrescentNews; don. detore; DougGulasy; EdEsposito; ElyriaChronicle-Telegram; EmilyReimer; EricaCooper; FAIR; Fred LeFabvre; GayPeople'sChronicle; GeoffDutton; Gongwer; Hannah News Service; JasonHaap; JayTaylor; JeanineKendle; jeff. gauger; JeffSaunders; JenniferNesbitt; JessicaWeinberg; JimSabin; JimSiegel; joe. shaheen; JoeGarrett; JoeHallet; JoeStrecker; JohnCardenas; JohnRoss; JoIngles; JudithBird; KarenKasler; kcheld; Kent Cahlander; KevinLanders; KurtLudlow; Lantern; LaurieOmness; LimaNews; Linda Kinsey; LindaPatten; LindseyTeter; M Roth; MariettaTimes; MarilouJohanek; MarkNaymik; MaryLynnPlageman; MassilionIndependant; MattWelch; MedinaDailyRecord; MegPeretzky; MichaelDouglas; MichaelMcCoy; MichaelMiller; Mike Throne Chillicothe Gazette; MikeHawkins; mturner; NBC4;

NewPatriotJournal; NewPhiladelphia TimesReporter; NickGillespie; NoahBlundo; OhioLibertyCouncil; OurTown NorthCanton; PamCook; PamJames; PaulTeasley; RochelleYoung; RoseRussell; SanduskyRegister; ShaneStegmiller; SteveHoffman; SteveSchulte; StudentsforLiberty; TeriBerg; This Week News; ThomasSuddes; TimBotos; TimMeredith; TinoRamos; TomBosco; USAToday; WBCL88. 1 West CentralOhio; WCBE; WDTN; WKBNTV27Youngstown; WKYC; WLW700AM; WLWTTV5Cincinnati; WNIR; WOIO19 ActionNews; WSPD; WTAM1100; WTOLChannel11; WYSO91. 3 MiamiValley; YoungstownStateUniv; YoungstownVindicator; Rep67; Rep95; Rep19; Rep36; Rep47; Rep69; Rep72; Rep74; Rep97; Rep23; Rep50; Rep91; Rep70; Rep86; Rep66; Rep92; Rep77; Rep71; Rep87; Rep84; Rep41; Rep85; Rep65; Rep48; Rep37; Rep30; Lou Terhar; Rep29; Rep81; Rep52; Rep68; Rep38; Rep02; Rep06; Rep04; Rep76; Rep07; Rep21; Rep40; Rep16; Rep54; Rep88; Rep80; Rep73; Rep83; Rep01; Rep78; Rep62; Rep61; Rep79; Rep93; Rep24; Niraj Antani; Terry Blair; Rep57; Rep90; Rep03; Rep53; Rep27; Rep82; Rep51; Beagle@ohiosenate.gov; Coley@ohiosenate.gov; Seitz@ohiosenate.gov; Widener@ohiosenate.gov; Cliff Hite (LIO); Burke@ohiosenate.gov; LaRose@ohiosenate.gov; Manning@ohiosenate.gov; Jim Hughes (LIO); Joseph Uecker (LIO); John Eklund (DST); Faber@ohiosenate.gov; Bacon@ohiosenate.gov; Jordan@ohiosenate.gov; Obhof@ohiosenate.gov; Lehner@ohiosenate.gov; Gardner@ohiosenate.gov; Scott Oelslager; Jones@ohiosenate.gov; Patton@ohiosenate.gov; Balderson@ohiosenate.gov; Antonio Ciaccia; Carlton Ramsey; Carolyn Uecker; Dale Chapman; Dan Drockton; Dickran Guerguerian; George Opria; Homer Smith; Jim Rovenski; JoAnn Campbell; John Herrington; John McAvoy; Leonard Pohlar; Mark Williams; Michael Segrest; Michelle Heywood; Nelson Erwin; Robert Waters; Scott Jerzyk; Warren McComas

**Subject:** PRESS RELEASE: REPUBLICAN LIBERTY CAUCUS OF OHIO  
ANNOUNCES 2016 CONVENTION, SPEAKERS

**Attachments:** Press release 2016 Convention Speakers.docx

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Tickets can be purchased at: <https://www.eventbrite.com/e/rlcoh-bi-annual-convention-2016-tickets-25861168451>. Buffet lunch is included with all tickets.

-30-

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Contact: Mathew Erickson  
Republican Liberty Caucus of Ohio  
PO Box 486  
New Albany, OH 43054

Phone (614) 962-6062  
Email: [info@rlcoh.org](mailto:info@rlcoh.org)

Website: <http://rlcoh.org>  
Follow us on [Facebook](#) and [Twitter](#)!

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**Republican Liberty  
Caucus of Ohio**



# Press Release

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**From:** Ohio Arts Council  
**Sent:** Thursday, September 22, 2016 11:08 AM  
**To:** Rep93  
**Subject:** Your September Arts Update

Webinar reminders, upcoming Riffe Gallery workshops,  
Governor's Awards nominations, #CreativityConnects, and more.

[View this email in your browser](#)

Share your story with #ArtsOhio



It has certainly been an active September at the Ohio Arts Council! While the weather may be holding onto summer, our days feel fresh with the "back-to-school" spirit that fall so often brings. This month alone, your OAC staff have been taking part in a variety of professional learning opportunities on topics such as accessibility, inclusion, leadership, and more. Just as we encourage our artists, arts organizations, and arts education teams to participate in their own professional development, we do the same – all with a goal to better serve you, your organizations, and better support the arts in Ohio. [Keep reading for more on the latest](#)





research from NEA Chairman Jane Chu (pictured above), our September reflections, and what October has in store.



### **Creative Spotlight on Social Impact Investing | Part I**

"It really opens up the spectrum on how non-profit organizations can operate with more creative and strategic programing," David Cuatlacuatl, Sofia Quintero Arts and Cultural Center in Toledo.

As part of an ongoing blog series between the Ohio Arts Council and The Wells Foundation, **Creative Spotlight on Social Impact Investing** will highlight nonprofit leaders and organizations who are taking advantage of a new funding opportunity called social impact



### **Welcome Your 2016 Ohio Heritage Fellows**

Barry Wheeler of Ashland, Ohio, was awarded the heritage fellowship for Material Culture. He learned his art form through generations of blacksmiths in his family.



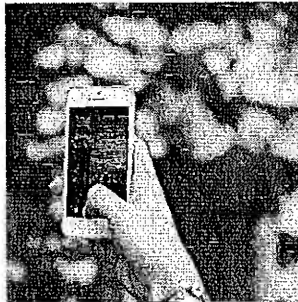
investing. Patrick Westerlund breaks it down for us and interviews OAC scholarship recipient David in our first post.

[Get the full story here.](#)

[Elena Hernandez](#) received the award for Community Leadership for her contribution to the Toledo area through Mexican folkloric dance.

Don't forget to join us **TODAY** at 1:30 p.m. for a free webinar: [Lions, Tigers, and Boards...Oh My!](#) Christy Farnbauch, OAC innovation and engagement director, will share best practices and resources created from her work with nonprofit boards. There's still time to [register online](#).

**OCTOBER WEBINAR | [Social Media on a Shoestring: Doing a Lot with a Little](#)**



Every artist or arts organization today needs a strong social media identity. Do you struggle to cultivate an effective online presence when you are strapped for time, money, and know-how? In this webinar, Lindsay Fullerton, Ph.D., of New Median Consulting, will share some easy ways to make a big impact through social media. You will learn how to identify your social media goals, develop strategies to make the most of your content, and integrate social media into your daily work routine. [Learn more and register online.](#)

# Governor's Awards

## OHIO ARTS COUNCIL

The Governor's Awards for the Arts celebrate artistic excellence, and the creative and philanthropic spirit that thrives in the state of Ohio. All nominations are accepted online. **The deadline to submit a nomination is Monday, October 24, at 5 p.m.**

**READ THE HOW-TO BLOG POST**

**SAVE THE DATE** | Arts Day & Governor's Awards for the Arts in Ohio will take place Wednesday, May 17, 2017. Stay tuned for more details. Join the celebration with #OHGovAwards17.



**National  
Endowment  
for the Arts**  
arts.gov

*Creativity Connects: Trends and Conditions Affecting U.S. Artists* is a new report from the National Endowment for the Arts examining the values and needs of artists. Make sure you explore 'Bright Spots' an [interactive graphic on the NEA website](#).

Ohio's full-time public servants are invited to showcase their artistic talents outside the 9-to-5 in the Ohio Arts Council's Riffe Gallery juried exhibition *After Hours*: *Artwork by State of Ohio Employees*.

**AFTER  
HOURS**

**Artwork by  
State of Ohio  
Employees**

**SUBMIT YOUR WORK OR SHARE DETAILS TODAY**

### Mark Your Calendar

Oct. 24: Deadline to Submit a 2017

Governor's Award Nomination:

[oac.ohio.gov/GovernorsAwards/Nominate](http://oac.ohio.gov/GovernorsAwards/Nominate)

Oct. 26: Board Meeting

October is National Arts & Humanities Month.

### Happening in the OAC Riffe Gallery

**TODAY:** Excavating Stories Through Creative Writing w/ Michael London

Oct. 1: Family Workshop | Squeaky Clean

Image Transfer w/ Stephen Takacs

*Earthy Delights* on view until October 9.

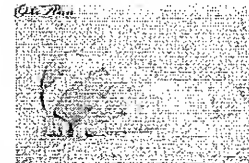


Excavating Stories Through Creative Writing is a day-long workshop for writers of all ages, focusing on the art of storytelling. It will be held in the OAC Riffe Gallery on October 1st.

Stephen Takacs will be in the OAC

for an Image Transfer workshop on October 1st.

For more information, visit [oac.ohio.gov](http://oac.ohio.gov).



October is National Arts & Humanities Month. The OAC is proud to host a variety of events throughout the month, including workshops, exhibitions, and performances. We encourage everyone to participate and enjoy the arts.



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You are receiving the monthly ArtsOhio newsletter because you signed up on the Ohio Arts Council website, through social media, or in-person at the Ohio Arts Council's Riffe Gallery.

Ohio Arts Council  
30 East Broad Street, 33rd Floor  
Columbus, OH 43215-3414

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**From:** Courtney Cook  
**Sent:** Friday, September 23, 2016 12:05 PM  
**To:** Rep93  
**Subject:** Speaker Announcement, Future Meetings and More



## Lenore Skenazy

We are happy to announce that **Lenore Skenazy** will join us at the 2016 States and Nation Policy Summit.

Lenore is a lot of things — author, humorist, keynote speaker, popular blogger, TV host and a thought leader on issues ranging from parenting to policy to consumer insights. And, she was, for a time, labeled “America’s Worst Mom.”

She wrote the book and blog, “Free-Range Kids,” which launched the anti-helicopter parenting movement. Now, Lenore Skenazy is the media’s “go-to” expert on parenting culture! Her belief that we are making our kids “too safe to succeed” has led to speaking gigs at corporations, colleges and conventions around the world, from Microsoft R&D in Redmond to the Battle of Ideas in London and the Festival of Dangerous Ideas at the Sydney Opera House to the Houston chapter of the YPO to the Yale Child Study Center (twice). Lenore has headlined the U.S. Play Coalition, the International Children’s Festival in Vancouver and the Bulgarian Happiness Festival!



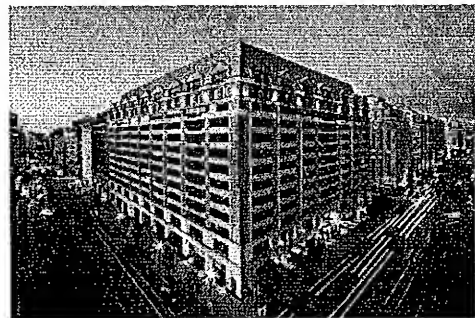
[View the States and Nation Policy Summit  
2016 Agenda Here](#)

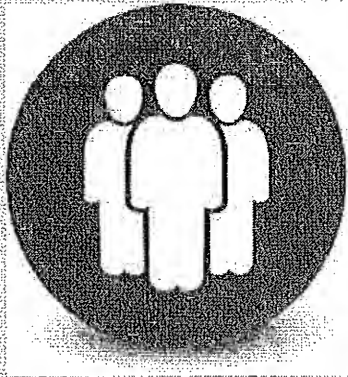


**>> REGISTER NOW**

[Sign up today to join Lenore and  
ALEC in Washington, DC this  
November and receive early bird  
pricing!](#)

[Book your housing for the  
conference before November 8 to  
secure the ALEC discounted rate  
of \\$275.00.](#)





## **Future Meeting Dates!**

### **Spring Task Force**

#### **Summit 2017**

Charlotte, NC

May 5, 2017

### **Annual Meeting 2017**

Denver, CO

July 19-21, 2017

### **States & Nation Policy Summit 2017**

Nashville, TN

December 6-8, 2017

Have questions or need assistance?

[Contact us!](#)

This message was sent to rep93@ohiohouse.gov from:

Courtney Cook | [CCook@alec.org](mailto:CCook@alec.org) | ALEC | 2900 Crystal Drive, 6th Floor |  
Arlington, VA 22202

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**From:** Republican Liberty Caucus of Ohio  
**Sent:** Tuesday, September 27, 2016 8:50 AM  
**To:** info@rlcoh.org  
**Subject:** Press Release: REPUBLICAN LIBERTY CAUCUS OF OHIO HOLDS 2016 CONVENTION IN COLUMBUS, OHIO  
**Attachments:** Press release 2016 Convention recap.docx

**Importance:** High

# Press Release

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The RLCOH presented the "Champions of Liberty" award to State Senator Kris Jordan, and State Representative Tom Brinkman as the senator and representative with the most consistent, liberty minded voting record. The Chairman's Choice Award for Inspirational Volunteer was also presented to Public Relations Chairman Mathew Erickson.

The event also included a business portion, where RLCOH members elected a new governing board. Election results were as follows:

- Chairman – Bill Yarbrough of Columbus, Ohio
- Vice-Chairman – Chris Sawicki of Medina, Ohio
- Secretary – Kelly Sanders of Pickerington, Ohio
- Treasurer – Jim Rovenski of Columbus, Ohio

At Large Board Members:

- Ann Becker of West Chester, Ohio – Chairwoman of the Field Development Committee
- Mathew Erickson of North Canton, Ohio – Chairman of the Public Relations Committee
- Scott Jeryzk of Columbus, Ohio – Chairman of the Candidates Committee
- Michael Newbern of Delaware, Ohio – Chairman of the Legislative Affairs Committee

Videos of the event can be found on the RLCOH YouTube channel at <https://www.youtube.com/channel/UCK4xpE-lynG2EEnc4IrfUnw>

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Contact: Mathew Erickson  
Republican Liberty Caucus of Ohio  
PO Box 486  
New Albany, OH 43054

Phone (614) 962-6062  
Email: [info@rlcoh.org](mailto:info@rlcoh.org)

Website: <http://rlcoh.org>  
Follow us on [Facebook](#) and [Twitter](#)!

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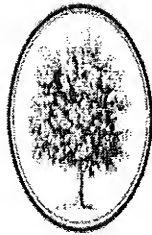
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**From:** The Buckeye Institute  
**Sent:** Tuesday, September 27, 2016 2:54 PM  
**To:** Rep93  
**Subject:** President Obama is ignoring the law



## THE BUCKEYE INSTITUTE

### **Buckeye firmly planted to stop presidential power grab**

From the Environmental Protection Agency (EPA) to the National Labor Relations Board (NLRB), President Obama has shown a disrespect for the law by circumventing Congress. The Buckeye Institute is standing firm to stop such presidential power grabs.

### **NLRB not free to decree**

Today, Buckeye's Legal Center joined in a legal briefing to the U.S. Supreme Court on *NLRB v. SW General Inc.*, in which the Arizona-based company is challenging whether the president can (as he did) ignore the plain language of the law regarding who may serve as the NLRB's "acting" general counsel.

"Government is built on checks and balances to ensure no one branch has too much power," Robert Alt, Buckeye's president and CEO, said. "If the president can ignore any law deemed inconvenient, that sets a dangerous precedent for future presidents to pick and choose what laws to follow."

### **EPA gets its day (in court)**

President Obama's Clean Power Plan has a murky history. Today, arguments for and against the plan received a scrubbing from the U.S. Court of Appeals for the D.C. Circuit. In February, Buckeye's Legal Center sued the Obama Administration over the EPA's unconstitutional mandate.

The Clean Power Plan not only is an overreach in its attempt to regulate state energy markets, but also does not give states meaningful opportunities to decline its implementation – a pillar of U.S. federalism. That is why the U.S. Supreme Court issued a stay, halting the plan, until its journey throughout the courts is concluded.

Although today's case could be appealed to the U.S. Supreme Court regardless of the outcome, the D.C. Circuit's decision could stand if:

1. Buckeye and our co-petitioners are successful and the next president declines to appeal the decision; or
2. The decision is appealed to the U.S. Supreme Court and the late Justice Scalia's seat is still empty, resulting in a 4-4 split decision; or
3. The U.S. Supreme Court declines to hear an appeal to the case.

It's a complicated path for a complicated case, but Buckeye's role is quite simple: Stand firm, deeply rooted against all cases of government overreach.

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution—a think tank—whose mission is to advance free-market public policy in the states.



The Buckeye Institute, 88 East Broad Street,  
Suite 1120, Columbus, OH 43215

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Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** Mark Mix  
**Sent:** Wednesday, September 28, 2016 12:03 PM  
**To:** Rep93  
**Subject:** Hillary's meltdown



I couldn't believe what I was watching, Ryan.

But there it was on video for all to see.

Seconds after unleashing a tirade against the right of every American to have a job without being forced to join a union, Hillary Clinton was demanding to know why she wasn't leading the presidential polls by 50 points.

Well, I have an answer to Hillary's question.

Almost 80% of Americans believe she is dead wrong when it comes to compulsory unionism and forced-union dues.

At the National Right to Work Committee, we don't believe that anyone should be forced to pay tribute to a union in order to get or keep a job.

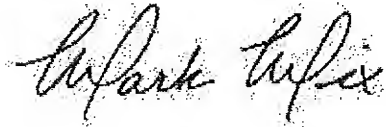
Do you agree with Hillary that unions have the right to extort forced payment of dues from members against the wishes of workers?

Or do you believe that no person should ever be forced to pay union dues as a condition of their employment?

With so much at stake for American workers over the next several weeks and months, we're interested to know where you stand.

Please click here to take our one question survey to let us know where you stand right away.

Sincerely,



Mark Mix  
President, National Right to Work

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The National Right to Work Committee is a nonprofit, nonpartisan, single-purpose citizens' organization dedicated to combating compulsory unionism through an aggressive program designed to mobilize public opposition to compulsory unionism and, at the same time, enlist public support for Right to Work legislation. The Committee's mailing address is 8001 Braddock Road, Springfield, Virginia 22160. The Committee can be contacted toll-free at 1-800-325-7892. Its web address is <http://nrtwc.org/>

Not produced or e-mailed at taxpayer expense.

To help the National Right to Work Committee grow, please forward this to a friend.

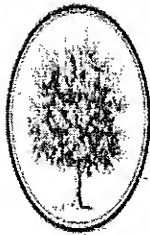
To view as a web page, please click this link: [view online](#).

**From:** The Buckeye Institute

**Sent:** Wednesday, September 28, 2016 2:20 PM

**To:** Rep93

**Subject:** Protecting property rights, keeping communities safe



## THE BUCKEYE INSTITUTE

As Ohio policymakers pursue major reforms to the state's criminal justice laws, The Buckeye Institute is making sure the principles of individual liberty and property rights are not just heard but strengthened across our state.

Today, in [The Columbus Dispatch](#), Buckeye's president and CEO explained how civil-asset forfeiture reforms can protect innocent Ohioans while giving law enforcement the resources they need to keep our communities safe:

Ohio law enforcement needs reasonable tools to combat drug traffickers. And Ohioans need greater legal protection to assure that their property will not be forfeited to the state absent a criminal conviction. Happily, both objectives can be achieved through reforming Ohio's civil-asset forfeiture law. ...

Under Ohio's current law, after property is seized, prosecutors may commence a lawsuit against the property --- you read that correctly, the thing -- not the property owner. And the prosecutor may do so regardless of whether the owner is ever charged with a crime. The owner has no right to legal counsel, and must assert his or her rights in court at his or her own expense in order to get the property back.

To read the full op-ed, [click here](#). To learn more about Buckeye's Legal Center, which is tackling this issue and other important policies, [click here](#).

As reforms to Ohio's civil-asset forfeiture laws continue to gain momentum, The Buckeye Institute will keep you informed of our work and successes protecting everyday Ohioans' rights.

# # #

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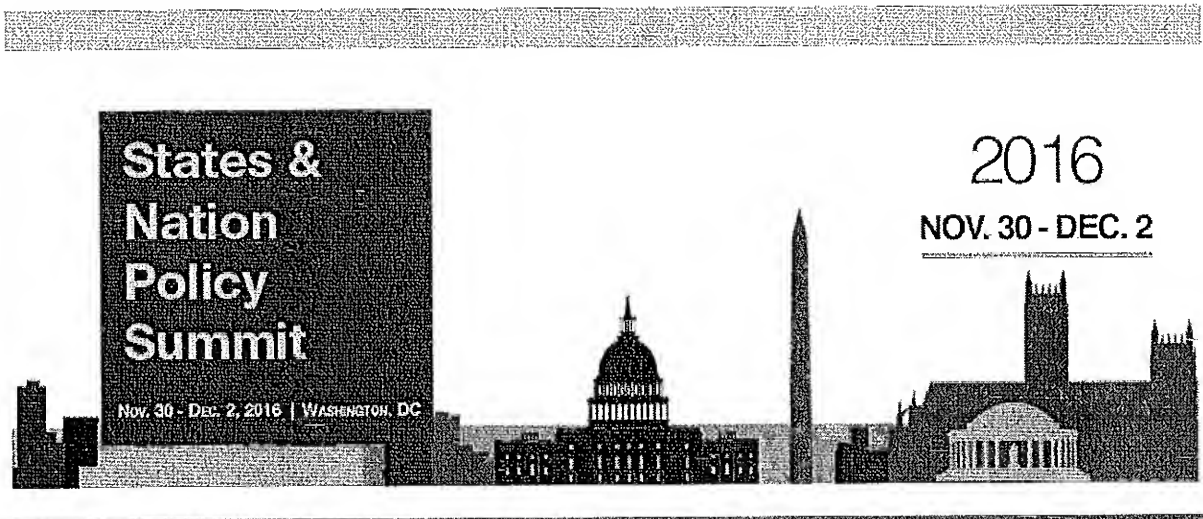
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Suite 1120, Columbus, OH 43215

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Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** Courtney Cook  
**Sent:** Friday, September 30, 2016 1:08 PM  
**To:** Rep93  
**Subject:** What To Expect at SNPS 2016

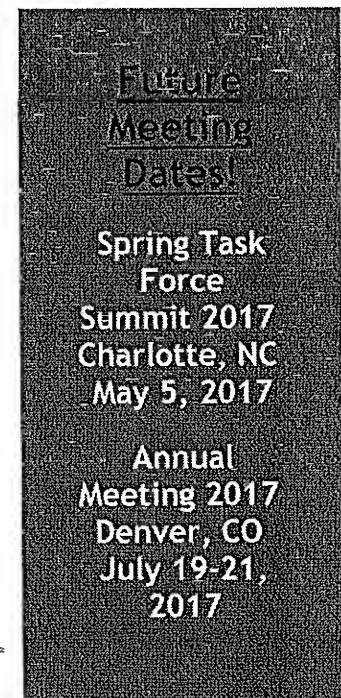


## Featured Topics At A Glance

We are putting together a rich and innovative agenda for the 2016 States and Nation Policy Summit! Please see below for a few of the topics we will discuss at our next meeting.

- Freedom of Speech
- Donor Privacy
- School Security
- Pension Reform
- The Clean Power Plan
- Opioid Abuse and Prescription Drug Pricing

[Check out the meeting agenda here!](#)



## Register Today

Registration has opened for our 2016 States and Nation Policy Summit. Make sure to register early to lock in the best rates!



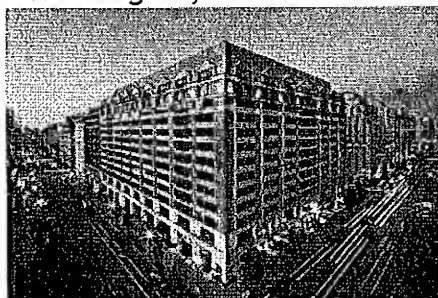
**States and  
Nation Policy  
Summit 2017  
Nashville, TN  
December 6-8,  
2017**

**>> REGISTER NOW**

## Reserve Your Room

The 2016 States and Nation Policy Summit will be hosted at the Grand Hyatt Washington, located in the heart of downtown D.C.

Book your room today at the highly discounted ALEC rate to secure your spot!



**Have Questions?  
Need Assistance?**

**Contact us!**

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Council  
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Arlington, VA 22202

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**From:** Mark Mix  
**Sent:** Sunday, October 2, 2016 3:07 PM  
**To:** Rep93  
**Subject:** Hillary's meltdown



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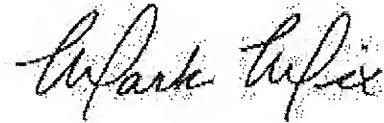
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President, National Right to Work

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Not produced or e-mailed at taxpayer expense.

To help the National Right to Work Committee grow, please forward this to a friend.

To view as a web page, please click this link: [view online](#).

**From:** McDonald Hopkins LLC

**Sent:** Monday, October 3, 2016 8:04 AM

**To:** Rep93

**Subject:** Shawn M. Riley becomes president of McDonald Hopkins



Shawn M. Riley, elected as president of McDonald Hopkins earlier this year, officially assumed his duties on October 1. Riley, who served as head of the firm's Cleveland office until assuming his new position, also announced a series of management changes.

"I believe the leadership team we have assembled will help me capitalize on the decade of growth and success we have experienced," Riley said. "We view these changes as a generational change that coincides with the changes in, and challenges of, the business of law."

McDonald Hopkins is a business advisory and advocacy law firm that was founded in 1930 in Cleveland. Today, McDonald Hopkins has offices in Chicago, Columbus, Detroit, Miami, and West Palm Beach, as well as a Washington, D.C.-based subsidiary, McDonald Hopkins Government Strategies. Riley succeeds Carl J. Grassi, who served as president since 2007, and becomes firm chairman. During that period, the firm doubled in size. "I am grateful to Carl for his leadership over the past nine years as well as the strong position in which he has put the firm," Riley said.

Riley joined McDonald Hopkins in 1995. Since 2007, he has served as managing member of the Cleveland office, and as a member of the firm's Executive Committee and Board of Directors. Riley has 30 years of experience advising clients on strategic alternatives, including acquisitions, sales, mergers, affiliations, refinancings, recapitalizations, and restructurings. He has counseled boards of directors on meeting their fiduciary duties in a variety of circumstances in many industries.

A frequent author and lecturer, Riley is highly involved in the Greater Cleveland community where he serves as president of the board of the Greater Cleveland Chapter of the American Red Cross and on the board of trustees for Kent State University and the Cleveland Institute of Music. Riley formerly served on the Great Lakes Theater Festival board. He was a member of the Cuyahoga County Charter Review Commission and is a graduate of Leadership Cleveland, class of 2012. From 2011 to 2015, Riley served as mayor of the Village of Gates Mills, Ohio.

In addition to Riley assuming his new role as president, six members at McDonald Hopkins are taking on new leadership roles. "This announcement is part of our strategic and succession planning process," Riley said. "All of these attorneys will be highly valued members of the leadership team."

- David M. Kall (Cleveland) becomes managing member of the Cleveland office, which has 180 attorneys and other personnel. He is also vice chair of the Tax and Benefits Department and chair of the Capital Markets and Multistate Tax Practice Groups.
- James E. Stief (Cleveland) becomes chair, Business Law Department after serving as vice chair since November 2014. He is also chair of the Commercial Finance Practice Group.
- James J. Giszczak (Detroit) becomes chair, Litigation Department, where he has served as vice chair since November 2014. He is also co-chair of the Data Privacy and Cybersecurity Practice Group.
- Sean D. Malloy (Cleveland) becomes chair, Business Restructuring Department after serving as vice chair since November 2014.
- Benjamin D. Panter (Chicago) becomes chair, Executive Compensation and Governance Practice Group.

- Dominic A. Paluzzi (Detroit) becomes co-chair, Data Privacy and Cybersecurity Practice Group.

[Click here for the press release](#)

## McDonald Hopkins

A business advisory and advocacy law firm

McDonald Hopkins LLC

600 Superior Avenue East | Suite 2100 | Cleveland, Ohio | 44114  
[mcdonaldhopkins.com](http://mcdonaldhopkins.com)

Chicago | Cleveland | Columbus | Detroit | Miami | West Palm Beach

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This Publication is designed to provide current information for our clients, friends and their advisors regarding important legal developments. The foregoing discussion is general information rather than specific legal advice. Because it is necessary to apply legal principles to specific facts, always consult your legal advisor before using this discussion as a basis for a specific action.

McDonald Hopkins, 600 Superior Avenue, East, Cleveland, OH 44114

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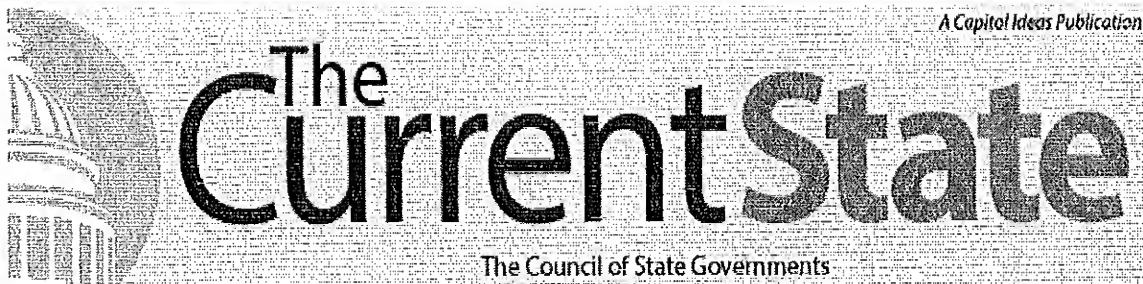


**From:** The Council of State Governments

**Sent:** Monday, October 3, 2016 10:07 AM

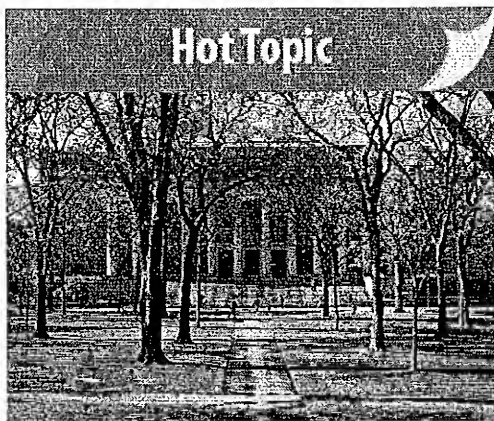
**To:** Rep93

**Subject:** Campus Sexual Assault; Justice Landscape; Contraception; Career Readiness

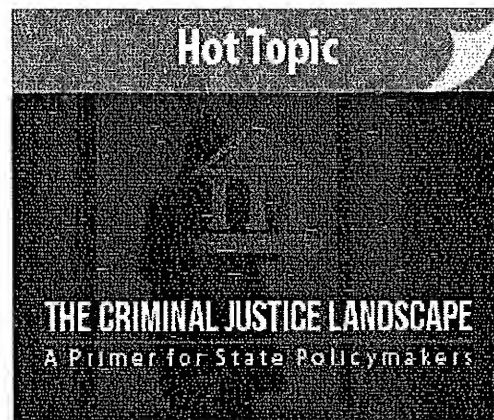


Issue: 79

Oct. 3, 2016



**Experts Discuss Policies, Best Practices to Address Campus Sexual Assault**



**The Criminal Justice Landscape**

Enforcing the law, safeguarding public safety, preventing crime, ensuring accountability for people who break the

Colleges and universities, law enforcement agencies, and state policymakers must work together to tackle campus sexual assault, according to the panelists who discussed the problem during a recent eCademy webcast presented by The Council of State Governments West.

**READ MORE**

law and administering the processes associated with this work fairly--together these efforts are known broadly as criminal justice. And the data commonly used to describe justice outcomes tell a complicated story.

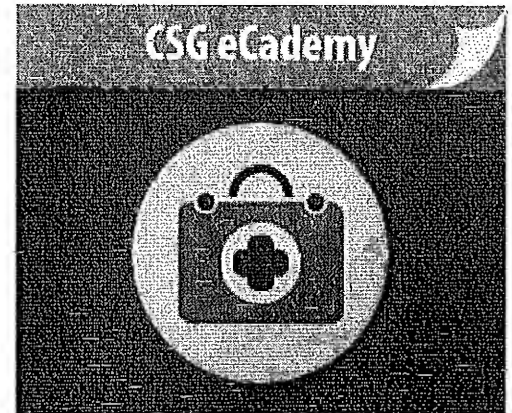
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### **Building Career Readiness**

State education leaders strive to help students enter the workforce prepared to succeed--to be career ready. While college- and career-readiness planning definitions vary state by state, the central themes of academic knowledge, skills and assessment scores are found in most definitions, and states are taking significant steps to ensure that students are ready for college and beyond.

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### **Adopting Medicaid Policies to Encourage Long-Acting Reversible Contraception**

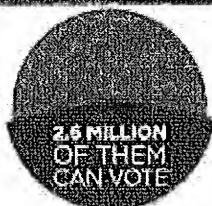
Some states are implementing policies to increase the use of long-acting reversible contraception, known as LARCs, among Medicaid enrollees. LARCs--intrauterine devices, or IUDs, and subdermal contraceptive implants--are highly effective forms of birth control, with pregnancy rates of less than 1 percent within the first year. A five-year Colorado pilot program documented a 48 percent reduction in the state's teen birth and abortion rates. This FREE CSG eCademy webcast will explore programs and policies related to LARC use in Colorado, South Carolina and Illinois.

**READ MORE**



## By the Book

### OVERSEAS CITIZENS AND VOTING: WHAT WE KNOW



#### New Data Out on U.S. Military, Overseas Voters

On Sept. 21, the Federal Voting Assistance Program, or FVAP, a U.S. Department of Defense organization tasked with ensuring that service members and overseas citizens are given the tools and resources necessary to vote, released the findings of a first-ever representative survey of overseas voters who requested an absentee ballot. The FVAP survey found that of the 2.6 million eligible voters living overseas, 4 percent cast their ballots in the 2014 elections.

[READ MORE](#)

## Capitol Comments



#### As Federal Autonomous Vehicle Policy is Issued, States Poised to Move Quickly

To pave the way for self-driving cars, the National Highway Traffic Safety Administration recently issued long-awaited guidance delineating responsibilities of the federal and state governments when it comes to autonomous vehicles. Response to the guidance appeared to be largely positive and with the ink not even dry on the document, a number of states appeared poised to move quickly on new autonomous vehicle legislation in the days and months ahead.

[READ MORE](#)

## Conferences & Events

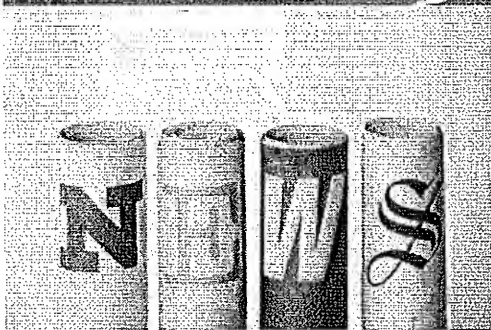
### Adopting Medicaid Policies to Encourage Long-Acting Reversible Contraception

Tuesday, Oct. 4, 2 p.m. EDT  
FREE CSG eCademy webcast  
[REGISTER HERE](#)

### Risk Management Insurance Fundamentals: Life and Health Insurance

Tuesday, Oct. 11, 2 p.m. EDT  
Part three of a four-part FREE CSG eCademy series in collaboration with The Griffith Insurance Education

## Association News



#### Application Period Opens for 2017 CSG Toll Fellows Program

Foundation  
**REGISTER HERE**

**Supreme Court Preview**

Thursday, Oct. 13, Noon EDT

FREE webcast presented by the State and Local Legal  
Center

**REGISTER HERE**

**Rideshare Companies & Insurance: 2016**

**Developments & What's Ahead for 2017**

Tuesday, Oct. 18, 2 p.m. EDT

FREE CSG eCademy webcast presented in  
collaboration with The Griffith Insurance Education  
Foundation

**REGISTER HERE**

**Risk Management Insurance Fundamentals:**

**Insurance Regulation and Legislation**

Tuesday, Oct. 25, 2 p.m. EDT

Part four of a FREE CSG eCademy series in  
collaboration with The Griffith Insurance Education  
Foundation

**REGISTER HERE**

**See Full Calendar**

Applications are now being accepted for the CSG Henry  
Toll Fellows Class of 2017. The 2017 CSG Toll  
Fellowship program will host 48 emerging state leaders  
from across the country Aug. 25-30 in Lexington,  
Kentucky. The deadline for applying is midnight PDT on  
April 23, 2017. Visit the CSG website for more  
information and to apply.

**READ MORE**

**Contact Us**

Toll Free: 1-800-800-1910  
Email: [Membership@csg.org](mailto:Membership@csg.org)

**[www.csg.org](http://www.csg.org)**

The Council of State Governments  
1776 Avenue of the States  
Lexington, KY 40511

**About Us**

Founded in 1933, The Council of State  
Governments is our nation's only  
organization serving all three branches of  
state government. CSG is a region-based  
forum that fosters the exchange of  
insights and ideas to help state officials  
shape public policy. This offers  
unparalleled regional, national and  
international opportunities to network,  
develop leaders, collaborate and create  
problem-solving partnerships.

## ADOPTING MEDICAID POLICIES TO ENCOURAGE LONG-ACTING REVERSIBLE CONTRACEPTION

REGISTER NOW! Tuesday, Oct. 4 | 2 p.m. EDT | *FREE CSG eCademy Webcast*



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the  
CENTER FOR EDUCATION REFORM

*A weekly report on education news and commentary you won't find anywhere else — spiced with a dash of irreverence — from the nation's leading voice in school reform.*

**UNION MONEY IN MA.** The NEA just approved \$3M more to fight education opportunity in The Bay State, bringing their contribution to \$4.9M. And that's not including the local MA Teachers Association spend of \$9M, along with the in-kind donations of teacher canvassing across the state to convince people that charters are bad for public schools. The reality is charters actually increase support for public schools — and increase funding for schools kids leave, giving districts plenty of resources to fix what ails them. Perhaps unions are getting nervous that news outlets big and small are exposing their false talking points on charter schools. CER CEO Jeanne Allen sheds light on reality of school funding in a local MA paper here.



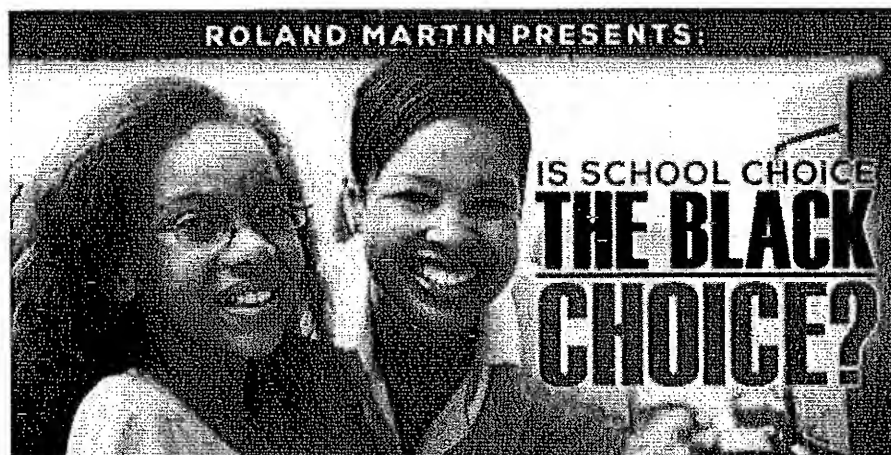
**#SPNAM2016.** Three cheers for all the great work the State Policy Network is doing surrounding innovation and opportunity! If you're at the annual gathering happening now in Nashville, be sure to find CER CEO Jeanne Allen and VP of Public Affairs Amy McGrath to chat about important topics surrounding education innovation and opportunity – like this great panel yesterday about how funding school choice increases support for all choices.



**BACK OFF.** Hundreds of parents, students, educators, and school leaders stepped up to the plate to show why their charter school works better for them than the status quo. The winner of the *"Hey John Oliver, Back Off My Charter School!" Video Contest* is scheduled to be announced by the end of the month. Keep the momentum going by sending your stories, and follow us on [Twitter](#) and [Facebook](#) for updates!



**IS SCHOOL CHOICE THE BLACK CHOICE?** Don't miss the engaging *News One Now* host Roland S. Martin at Howard University in DC for a special town hall meeting on October 5 alongside respected educators as they address issues of educating our youth. Doors open at 6pm. Event details and registration [here](#).



*The mission of the Center for Education Reform (CER) is to expand educational opportunities that lead to improved economic outcomes for all Americans, particularly our youth, ensuring that the conditions are ripe for innovation, freedom and flexibility throughout U.S. education.*

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**From:** Policy Matters Ohio  
**Sent:** Tuesday, October 4, 2016 1:46 PM  
**To:** Rep93  
**Subject:** Policy Matters welcomes three new board members



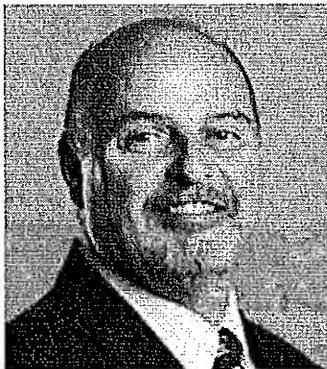
For immediate release  
Contact Amy Hanauer  
216.361.9801

## Three leaders join Policy Matters board

Melissa Cropper, Chris Mabe and Indigo Bishop to help steer institute

Policy Matters Ohio is pleased to welcome extraordinary new board members Melissa Cropper, Chris Mabe and Indigo Bishop.

**Melissa Cropper** is president of the Ohio Federation of Teachers, which represents 20,000 educators and support staff across Ohio. Melissa was a librarian in Georgetown, Ohio, is a leader at state and national levels, and is particularly concerned about children in poverty. "Melissa is at the forefront of making sure that Ohio's lowest-income students receive top quality teaching in an environment that respects the whole child," said Amy Hanauer, executive director of Policy Matters. "We're extremely grateful that she is willing to lend her valuable time to our organization."



**Chris Mabe** is president of the Ohio Civil Service Employees Association, a graduate of the Harvard University Trade Union Program and worked as a corrections sergeant at the Lorain Correctional Institution. From Grafton, Mabe is an international vice president of AFSCME international and occupies the prestigious labor seat on the Ohio Department of Veterans' Services Committee. "Chris is an innovative worker-leader who works to reduce over-incarceration, make Ohio's correctional institutions safer and more effective, and improve the prospects for successful re-entry of formerly incarcerated adults into society," Hanauer said.

**Indigo Bishop** is Cleveland action strategist for IOBY (In Our Back Yard), and a rising neighborhood and civic leader. A lifelong Cleveland resident, Indigo mobilizes neighbors who have good ideas to become powerful citizen leaders, making change in their own backyards. "Indigo brings a special understanding of how neighbors come together to revitalize their communities, and we are eager to work with her to create policies that help generate that kind of action," Hanauer said.



"Chris, Indigo and Melissa are three phenomenal leaders from across Ohio who will bring insight, energy, and commitment to our board of directors," said Kamla Lewis, chair of the Policy Matters nominating committee. "We are happy to welcome them to Policy Matters."

[Read release online](#)

###

*Policy Matters Ohio is a nonpartisan research institute creating a more vibrant, equitable Ohio.*

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Policy Matters Ohio, Columbus, 43215, Cleveland, OH 44114

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**From:** -Crislyn Lumia

**Sent:** Wednesday, October 5, 2016 12:46 PM

**To:** [clumia@sgac.org](mailto:clumia@sgac.org)

**Subject:** SGAC Foundation-Leaders' Policy Conference

**Attachments:** 21LPC16 Reg Brochure\_finalF.pdf; 21LPC16 HotelForms\_LEGf.pdf

I am writing to personally invite you to attend the State Government Affairs Council (SGAC) Foundation's 32<sup>nd</sup> Annual Leaders' Policy Conference (LPC) being held the Ritz-Carlton Laguna Niguel in Dana Point, California, November 19-22, 2016. This premier conference is presented by the SGAC Foundation, in cooperation with the National Conference of State Legislatures (NCSL) and The Council of State Governments (CSG).

You are one of a select group of legislative leaders invited to attend this premier program. This conference provides a unique opportunity to build relationships with other legislative leaders, emerging leaders and the private sector representatives attending.

Last year's conference was attended by 74 Legislative Leaders representing 36 states, Puerto Rico, and the Virgin Islands and included 5 Speakers, 2 Speakers Pro Tempore, 4 Senate Presidents, 6 Senate Presidents Pro Tempore, 23 Majority Leaders, and 12 Minority Leaders. Additionally, staff representatives from NCSL, CSG, ALEC, WIG, DLCC, & GOPAC were in attendance.

This year's conference theme is "States Leading the Wave of Change." Conference sessions will cover timely topics such as US/Cuba relations; a State of the States; state run retirement savings programs; budget and tax issues; the digital age of constituent communication; workforce development; the reauthorization of TSCA; the looming public health crisis of Alzheimer's; the opioid epidemic, and an election overview with Larry Sabato. You'll want to make sure you are there for the opening session with Michael Reagan, son of former President Ronald Reagan.

The conference brochure and registration forms are attached. There is no registration fee for legislators and a guest. Also attached you will find a copy of the housing form. Please complete both forms and either email them to [clumia@sgac.org](mailto:clumia@sgac.org) or fax to 571.312.3457

If you have any questions, please call SGAC staff at 571.312.3426. We hope your schedule will allow for your participation in this outstanding conference! We look forward to seeing you in November!

Sincerely,



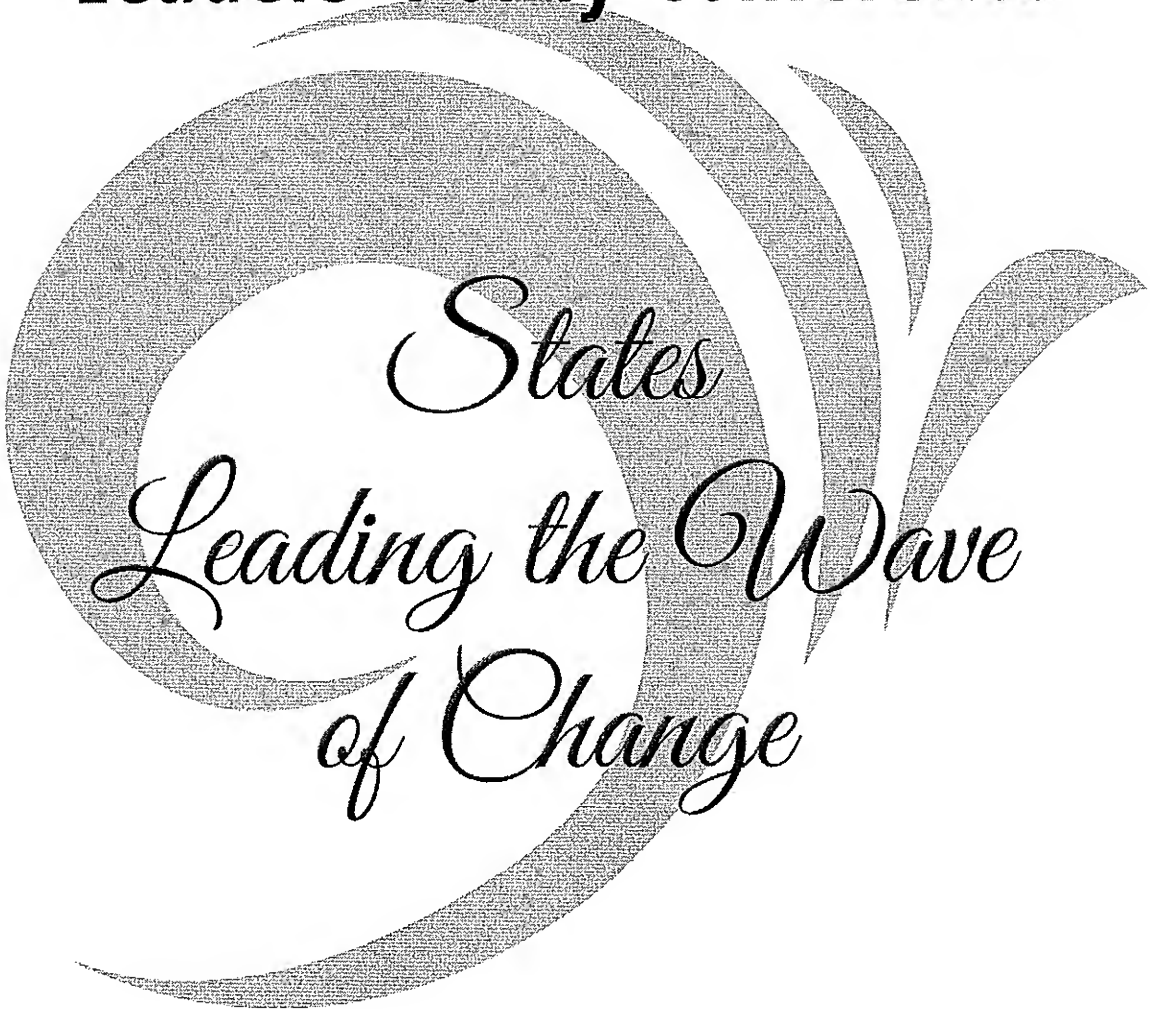
Elizabeth Loudy  
Executive Director

**Beth Loudy**  
**Executive Director**  
**State Government Affairs Council**  
*Promoting Partnerships and Professionalism*  
108 North Columbus Street, 2nd Floor  
Alexandria, VA 22314  
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[www.sgac.org](http://www.sgac.org) | [cloudy@sgac.org](mailto:cloudy@sgac.org)





# Leaders' Policy Conference

A large, stylized graphic of a wave, rendered in a light gray, textured style. The wave is composed of several concentric, curved lines that create a sense of movement and depth. It is positioned behind the central text.

*States  
Leading the Wave  
of Change*

A graphic consisting of five horizontal bars of varying lengths, stacked vertically. The bars are white and set against a dark gray background.

**November 19-22, 2016**

THE RITZ-CARLTON LAGUNA NIGUEL, DANA POINT, CALIFORNIA

# LPC Focus

As a state legislative leader, you are among a select group from across the country to be invited to this premier program.

*States Leading the Wave of Change* will focus on the states' role regarding the critical issues facing the nation such as:

- US/Cuba Relations
- Tax Incentives vs. Comprehensive Reform
- Workforce Development & Investing in America
- State-Run Retirement Savings Programs
- The Reauthorization of TSCA
- Alzheimer's – A Looming Public Health Crisis
- The Opioid Epidemic
- 2016 Election Wrap-Up

Plan to join other state legislative leaders and business experts as they come together for this annual conference focusing on critical issues, innovative skills and solutions for the future of state government.

Stay connected through social media with #LPCSGAC

# Preliminary Agenda

## November 19

11:00am – 5:00pm **Registration**

3:00pm – 3:30pm **Welcoming Remarks**

3:30pm – 5:00pm **Opening Keynote "Elect-tyle Dysfunction"**

**SPEAKERS:** Michael Reagan, *Author & Political Consultant*

6:30pm – 9:00pm **Reception & Dinner**

## November 20

8:30am – 9:45am **Breakfast & General Session**

### **Workforce Development & Investing in America**

**SPEAKERS:** Cindi Marsiglio, *Vice President US Manufacturing, Walmart Stores, Inc.*  
 Senator Mark Norris (R-TN)  
 Gretchen Koch, *Executive Director Workforce Development Strategies for Creating IT Futures Foundation*  
 Mark Hatch, *President, Hatch Enterprises Inc.*

10:00am – 11:15am **Breakout Sessions (2)**

### **The Digital Age of Constituent Communication**

Social media – Twitter, Facebook, blogs, Google+, Snapchat, Instagram – has become a critical tool enabling legislators to communicate with their constituents. This session will help explain and highlight the importance of social media for state policymakers. Our panelists will provide some best practices for managing various social media platforms, how to build your base, walk through some key functions of these platforms and also highlight some of the new live video streaming networks.

**SPEAKERS:** Dayna Geldwert, *Politics & Government Outreach, Instagram*  
 Representative Mia McLeod (D-SC)  
 Kevin Nichols, *Founder/President, The Social Engineering Project, Inc.*  
 Representative Jason Saine (R-NC)

### **Targeted Tax Incentives vs. Comprehensive Tax Reform: What Works Best for Economic Development?**

In general, there is an increasingly robust debate about the utility of targeted tax incentives, and organizations across the political spectrum are weighing in. Many states are introducing and considering tax incentive review laws. Hear from experts in the field as they explore what these bills do, which ones made significant progress, and what happens when incentives are removed.

**SPEAKERS:** Senator Phil Berger (R-NC)  
 Fiona Ma, *Chairwoman, California Board of Equalization*  
 Liz Malm, *Senior Tax Policy Analyst and Economist, MultiState Associates Inc.*  
 Kirk Stark, *Barrall Family Professor of Tax Law and Policy, UCLA*



## November 20

### 11:30am – 12:30pm General Session – “State of the States”

**SPEAKERS:** Scott Pattison, *Executive Director, NGA*  
*Bipartisan panel of Governors*

### 12:45pm – 2:30pm SGAC Committee Meetings

**Evening Free**

## November 21

### 7:30am – 9:00am Breakfast & General Session US/Cuba Relations

**SPEAKERS:** Carlos Echeverria, *Managing Partner, InterLex Bufete Echeverria*  
 Mark Entwistle, *Former Canadian Ambassador to Cuba -INVITED-*  
 Al Fox, *Founder and President, Alliance for Responsible Cuba Policy -INVITED-*

### 9:15am – 10:30am Breakout Sessions (3)

#### State-Run Retirement Savings Programs: Pros & Cons

Many states are considering or already passed legislation to create or study the creation of state-sponsored retirement savings programs for private sector workers. Studies show that some workers are not saving enough for a secure retirement. Panelists will discuss currently available plans, state proposals and the impact on employers.

**SPEAKERS:** John Chiang, *California State Treasurer*  
 Allan Zaremberg, *President & CEO, California Chamber of Commerce*  
 John Mangan, *Regional Vice President, State Relations, American Council of Life Insurers*  
 Senator Sandra Pappas (MN-D)

#### The Reauthorization of TSCA: What Does it all Mean?

An increasing number of states have enacted laws regulating chemicals in commerce. The patchwork of state chemical management laws has impacted consumers, manufacturers and retailers. Earlier this year, TSCA reform legislation was signed into law that will impact states in various ways, including preemption. This session will examine the new law and the close partnerships that will be needed between the federal government, state legislators and regulators, and industry to successfully implement and comply with the new law.

**SPEAKERS:** Ross Eisenberg, *National Association of Manufacturers -INVITED-*  
 Representative Debra Heffernan (D-DE)  
 Jack Pratt, *Environmental Defense Fund -INVITED-*

#### Alzheimer's – A Looming Public Health Crisis

Alzheimer's is the 6th leading cause of death and the only disease among the top 10 in America that cannot be prevented, cured or even slowed. Medicare and Medicaid are expected to cover \$160 billion, or 68 percent, of the total health care and long-term care payments for people with Alzheimer's disease and other dementias. Learn from policy experts how state governments can anticipate the demands of long-term care on their Medicaid budgets while scientists continue to seek methods of treatment, prevention, and, ultimately, a cure.

**SPEAKERS:** Randi Chapman, *Director of State Affairs, Alzheimer's Association*  
 Tara Ryan, *Vice President, State Advocacy, PhRMA*  
 Matt Salo, *State Medicaid Directors Association*  
 Dr. Bjoern Sperling, *Alzheimer's Disease Clinical Development Team, Biogen*



# MONDAY

## 10:45am – 12:00pm **General Session – Opioid Epidemic**

The Opioid Epidemic is claiming more lives in the country than drunken drivers, homicides, or car crashes. Stakeholders face difficulties balancing access to opiates for those with legitimate medical needs while encouraging proliferation of prevention, education, and treatment paradigms. Add all of that with the emotional toll on stressed family members and you have the makings of a nightmare. Join the panel to discuss how states are addressing this issue.

**SPEAKERS:** Josh Bolin, *Associate Executive Director, National Association of Boards of Pharmacy*  
 Mary Bono, *Principal FaegreBD Consulting*  
 Attorney General Sean Reyes (UT)  
 Carolyn Weems, *Vice President, Protecting Children Foundation*

## 12:30pm **Social Activities**

### **Golf Tournament**

In our fifth year of partnering with Tee It Up for The Troops, The Monarch Beach Golf Links, a premier venue in Dana Point, will treat you to the best the game has to offer. Rental equipment is available by contacting the Club at (949) 240-8247.

**COST:** \$250 includes transportation and a boxed lunch

### **Cooking with the Master**

This two-hour organic cooking experience will take place with the Ritz-Carlton master chef. Start with a tour of the garden where you will pick herbs and vegetables necessary for your culinary experience. Chef will lead the group in cooking a unique meal that is both fresh and delicious! This event has a 10-person minimum.

**COST:** \$300

### **Wine Tour**

Come explore two beautiful California wineries. Enjoy five amazing wines at a private estate winery located in back bay Newport Beach that features 4 acres of stunning vineyards and a wine cave. Then travel to an urban winery in lovely Laguna Canyon where two Canadian brothers have mastered their craft. You will taste 7 wines and meet the winemakers. Take a tour of the facility to see grapes being fermented, pressed, and wine bottled and aged. Learn from the best how these two masters create world class 90+ rated California wines.

**COST:** \$250 includes transportation, wine tastings and a boxed lunch

## 7:00pm – 9:00pm **Dinner & Entertainment**

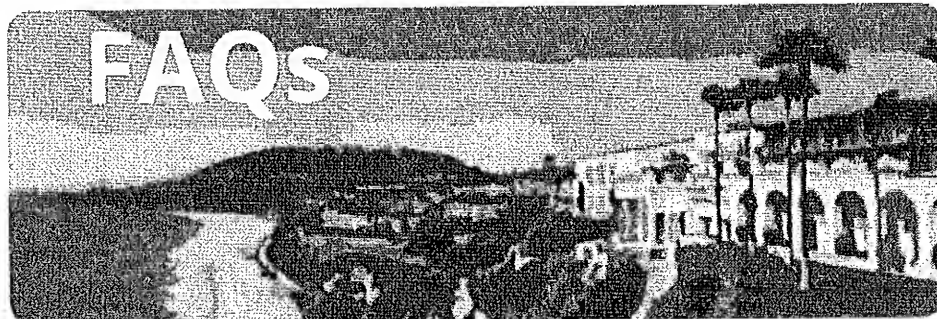
# TUESDAY

## November 22

## 8:30am – 9:00am **Breakfast**

## 9:00am – 10:00am **Closing Keynote "Election Wrap-Up"**

**SPEAKER:** Larry Sabato, *Founder & Director of the University of Virginia's Center for Politics, and Sabato's Crystal Ball*



### III WHO ATTENDS?

Approximately 250 people will attend the meeting including state legislative leaders as well as state government relations professionals from some of the nation's leading corporations and trade associations.

### III WHAT IS THE CONFERENCE ATTIRE?

Dress for all conference sessions is business casual. Dress for all social events is casual.

### III WHAT IS THE REGISTRATION DEADLINE?

Conference registration deadline is Friday, **October 28, 2016**. Register online, fax, or mail completed forms to: State Government Affairs Council Foundation, 108 N. Columbus St., 2nd Floor, Alexandria, VA 22314. Phone: (571) 312-3426 Fax: (571) 312-3457

### III HOW DO I BOOK A HOTEL ROOM?

Please complete and email or fax the enclosed reservation form directly to SGAC ([clumia@sgac.org](mailto:clumia@sgac.org)) or (571) 312-3457 to receive our negotiated rate of \$230. The hotel deadline for LPC reservations is **October 25, 2016**. After the deadline, contact SGAC for availability of rooms. The hotel will honor the group rate three days prior and three days post conference dates, based upon availability.

### III WHO DO I CONTACT FOR SPECIAL NEEDS?

If you, or anyone traveling with you, have special physical or dietary requirements, please indicate your needs on the registration form and SGAC will make every effort to accommodate your request.

### III WHAT IS THE HOTEL ADDRESS?

The Ritz-Carlton Laguna Niguel, One Ritz-Carlton Drive, Dana Point, CA 92629  
Phone: (949) 240-2000

### III WHAT ARE THE CLOSEST AIRPORTS?

SNA/John Wayne Airport is approximately 25 miles.  
LGB/Long Beach Airport is approximately 45 miles.  
LAX/Los Angeles is approximately 60 miles.

### III ONCE I LAND, WHAT ARE MY TRANSPORTATION OPTIONS?

There is no complimentary shuttle service between the hotel and airports.

#### Taxi Service

The John Wayne Airport Yellow Cab offers convenient taxicab service to travelers from the Ground Transportation Center (GTC) on the Arrival (lower) Level between Terminals A and B. In Terminal C, Yellow Cabs are available on the Arrival (lower) Level at Column 14.

If flying into Long Beach Airport taxi cabs pick up just outside the terminal.

#### SuperShuttle Shared Ride Van Service

SuperShuttle is the shared ride van service contracted at both John Wayne and Long Beach Airports. Call SuperShuttle at (800) 258-3826 or visit the website at [www.supershuttle.com](http://www.supershuttle.com) to make your reservation.

#### Rental Car

At the John Wayne airport rental car counters are located on the Arrival (lower) Level, between Terminals A and B, right across from the statue of John Wayne.

Flying into Long Beach, the car rental offices are located in the Airport Ground Transportation Center located directly across the terminal building.


#### Parking at the Ritz-Carlton

Overnight valet parking is \$25.00 a night.

### III ADDITIONAL INFORMATION

Please note: Legislator registrants for the 2016 Leaders' Policy Conference are advised that this event is partially underwritten by SGAC member sponsors through contributions to the educational foundation. If state law requires reporting, the SGAC office will provide documentation.

Only the State Government Affairs Council Foundation may authorize audio or video recording of the sessions. Program and schedule are subject to change.

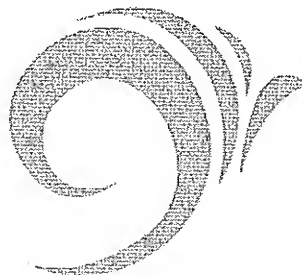


**SGAC** foundation November 19-22, 2016

THE RITZ-CARLTON LAGUNA NIGUEL, DANA POINT, CALIFORNIA

# Leaders' Policy Conference

*States Leading  
the Wave  
of Change*



**SGAC** foundation

State Government Affairs Council Foundation  
108 North Columbus Street, 2<sup>nd</sup> Floor  
Alexandria, VA 22314



## Leaders' Policy Conference

November 19-22, 2016

THE RITZ-CARLTON LAGUNA NIGUEL  
DANA POINT, CALIFORNIA

Registration form must be received by OCTOBER 28, 2016

COMPLETE FORM AND SEND BY EMAIL, FAX OR MAIL TO:

State Government Affairs Council Foundation

108 N. Columbus Street, 2<sup>nd</sup> Floor • Alexandria, VA 22314

Phone: (571) 312-3426 • Fax: (571) 312-3457

Email: clumia@sgac.org

## CONFERENCE REGISTRATION

CHECK IF APPLIES: ☐ Senate President ☐ Senate Majority Leader ☐ Senate Minority Leader  
☐ Speaker of the House ☐ House Majority Leader ☐ House Minority Leader

Name \_\_\_\_\_ Nickname for badge \_\_\_\_\_  
if different

Title \_\_\_\_\_

Spouse/Guest \_\_\_\_\_ Nickname for badge \_\_\_\_\_  
if different

House of Legislature \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

Email \_\_\_\_\_

### LEGISLATOR REGISTRATION

There is no registration fee for legislators or their spouses.

### SPECIAL ASSISTANCE

☐ Check here if you require special accommodations to fully participate. Please indicate description of your needs.

### PLEASE NOTE

- A badge is required to attend ALL conference functions.
- Only SGAC may authorize audio and/or videotaping of sessions.

### QUESTIONS

Call, fax or e-mail SGAC at:

Phone: (571) 312-3426

Fax: (571) 312-3457

Email: clumia@sgac.org



**Leaders' Policy  
Conference**

**November 19-22, 2016**

THE RITZ-CARLTON LAGUNA NIGUEL  
DANA POINT, CALIFORNIA

Registration form must be received by **NOVEMBER 11, 2016**

**COMPLETE FORM AND SEND BY EMAIL, FAX OR MAIL TO:**

State Government Affairs Council Foundation  
108 N. Columbus Street, 2<sup>nd</sup> Floor • Alexandria, VA 22314  
Phone: (571) 312-3426 • Fax (571) 312-3457

Email: [hjohnson@sgac.org](mailto:hjohnson@sgac.org)

## ACTIVITY REGISTRATION

Name \_\_\_\_\_

Title \_\_\_\_\_

Spouse/Guest \_\_\_\_\_

Organization/House of Legislature \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

Email \_\_\_\_\_

Billing Address (if different) \_\_\_\_\_

☐ Golf Tournament - \$250 per person \$ \_\_\_\_\_

Name(s): \_\_\_\_\_

☐ Cooking with the Masters - \$300 per person \$ \_\_\_\_\_

Name(s): \_\_\_\_\_

☐ Wine Tour - \$250 per person \$ \_\_\_\_\_

Name(s): \_\_\_\_\_

### CANCELLATION / REFUND POLICY

Before November 11, 2016, full refund less a \$50 processing fee.

After November 11, 2016, no refunds will be given.

TO CANCEL call, fax or email SGAC at: phone: (571) 312-3426

fax: (571) 312-3457 or email: [hjohnson@sgac.org](mailto:hjohnson@sgac.org)

DO NOT WRITE IN THIS BOX

Date Rec'd \_\_\_\_\_ Invoice # \_\_\_\_\_

### OPTIONAL ACTIVITY FEES MUST BE PAID IN FULL BEFORE THE CONFERENCE

METHOD OF PAYMENT: ☐ Check ☐ Credit Card

☐ Visa ☐ MC ☐ AmEx Expiration Date \_\_\_\_\_

Credit Card # \_\_\_\_\_

CVV Code \_\_\_\_\_

Cardholder Name \_\_\_\_\_

Cardholder's billing address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

MUST HAVE SIGNATURE TO PROCESS



**Leaders' Policy  
Conference**

**November 19-22, 2016**

THE RITZ-CARLTON LAGUNA NIGUEL  
DANA POINT, CALIFORNIA

Registration form must be received by OCTOBER 28, 2016  
COMPLETE FORM AND SEND A COPY BY FAX, EMAIL OR MAIL TO:

State Government Affairs-Council Foundation  
108 N. Columbus Street, 2<sup>nd</sup> Floor • Alexandria, VA 22314  
Phone: (571) 312-3426 • Fax: (571) 312-3457  
Email: [clumia@sgac.org](mailto:clumia@sgac.org)

**LEGISLATOR HOTEL RESERVATION FORM**

Please make room reservations through SGAC Foundation  
Please reserve accommodations for: (PRINT OR TYPE)

Name \_\_\_\_\_  
LAST FIRST  
House of Legislature \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
Email \_\_\_\_\_  
Arrival Date \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
(CHECK-IN TIME IS AFTER 3:00 p.m.)  
Departure Date \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
(CHECK-OUT TIME IS 12:00 p.m.)  
CONFERENCE DATES: November 19 - November 22, 2016

**A CREDIT CARD IS REQUIRED TO CONFIRM RESERVATIONS**

(No exceptions: A credit card must be given upon reserving a room. SGAC will not be responsible for rooms not guaranteed.)

Method of Payment: ☐ American Express ☐ MasterCard ☐ Visa

Account Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

ALL RATES ARE SUBJECT TO APPLICABLE TAXES.

SINGLE (one person) \$240 \_\_\_\_\_ (single rate) DOUBLE (two persons) \$240 \_\_\_\_\_ (double rate)

☐ King Bed ☐ Two Queen Beds

Special Needs/Requests \_\_\_\_\_

\* Every effort will be made to honor your special requests. However, special requests should not be considered confirmed and will be based upon availability.

**DEPOSITS**

All reservations must be accompanied by a first night room deposit or guaranteed with a major credit card. Individual reservations may be cancelled with hotel up until 72 hours without penalty; within 72 hours of arrival, cancellation or "no-show" will result in forfeit of first night's room and tax.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**RESERVATION MUST BE RECEIVED BY SGAC BY OCTOBER 28, 2016**

SGAC Foundation Headquarters

108 N. Columbus Street • 2<sup>nd</sup> Floor • Alexandria, VA 22314

Phone: (571) 312-3426 • Fax: (571) 312-3457



**From:** Heartland Institute: The Government Relations Team  
**Sent:** Friday, October 7, 2016 2:02 PM  
**To:** Rep93  
**Subject:** The Leaflet - Medicaid Expansion in 2017



## Medicaid Expansion in 2017

Health care reform has been thrust back into the public spotlight in the run up to the election in November. During the October 4 vice presidential debate between Democratic Party candidate Sen. Tim Kaine (VA) and Republican Gov. Mike Pence, the two candidates discussed at length the need for reform of the Affordable Care Act (ACA) and other health care issues.

The two candidates offered very different visions for the future of health care in America. Pence called for more free-market reforms and for Obamacare to be repealed and replaced, while Clinton called for expanding Obamacare and adding a "public option."

In a recent *National Review* article, writer Chris Jacobs described the importance of health care in the election, asserting if Hillary Clinton captures the White House, "Obamacare is here to stay, and [Clinton] will likely push to expand Medicaid in the states that have rejected the program's massive expansion under Obamacare."

State legislators in many states across the nation will address issues related to Medicaid expansion prior to and following the election. The 19 states that have not expanded Medicaid will likely face pressure from Democrats to fall in line with the 31 states that have. But many lawmakers are rightfully skeptical about expanding Medicaid and anxious about expansion costs, which are rising faster than expected in states that have expanded the program.

The Affordable Care Act was originally projected to substantially increase the number of people who have health insurance - in large part by expanding Medicaid - which was intended to improve hospitals' financial health by reducing the amount of care they provide to uninsured patients, many of whom pay little or nothing for their care. However, a recent report released by the Congressional Budget Office analyzing projected profit margins over the coming decade concluded, "Medicaid expansion will not make a material difference in hospitals' overall viability."

In a recent *Forbes* article, Brian Blase, a senior research fellow with the Spending and Budget Initiative at the Mercatus Center at George Mason University, argues Medicaid expansion under ACA has been and will continue to be a poor use of taxpayers' money, arguing, "Government spending on Medicaid expansion enrollees is nearly 50% higher than the government projected ... [and] Medicaid enrollees obtain only 20 to 40 cents of value for each dollar the government



spends on their behalf.”

Blase also argues Medicaid affects health care utilization and health outcomes for people other than the targeted enrollees. “Expanding Medicaid increases demand for health care services, and therefore affects the allocation of those services,” Blase wrote.

Dr. Hal Scherz, the founder of Docs4PatientCare, told *Health Care News* in September states should avoid any expansion of Medicaid unless there is a major shakeup. “Expanding Medicaid only makes sense if things are different,” said Scherz.

One option proposed by Scherz is to provide each Medicaid recipient with a direct primary care doctor alongside existing Medicaid coverage. Together, this would act as a high-deductible wraparound and pharmacy program. Scherz told *Health Care News* this model could lead to substantial savings: Four-fifths of health care costs could be locked up for under \$1,200 per year.

In a recent *Heartland Research & Commentary*, Senior Policy Analyst Matthew Glans also argued against Medicaid expansion. “Instead of expanding a flawed Medicaid model that is too costly, delivers subpar health care, and shifts more power to the national government, state lawmakers should focus on reforming the current system before choosing to expand it,” wrote Glans.

## WHAT WE'RE WORKING ON

### Budget & Tax

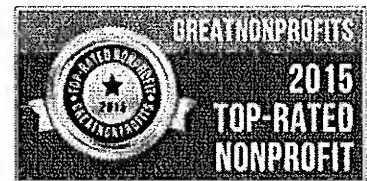
#### Research & Commentary: Iowa Needs Civil Asset Forfeiture Reform

Civil asset forfeiture, also known as civil judicial forfeiture, is a controversial legal process through which law enforcement agencies take personal assets from individuals or groups merely suspected of a crime or illegal activity. In this *Research & Commentary*, Senior Policy Analyst Matthew Glans examines civil asset forfeiture laws in Iowa and argues assets should be seized only for criminal reasons. “Assets should be seized only when crimes have been committed and convictions have been made, and law enforcement officials should not be incentivized to seize any more property than is necessary and justified,” wrote Glans. [Read more](#)

### Education

#### Research & Commentary: Education Choice is a Popular Policy in Michigan

In this *Research & Commentary*, Policy Analyst Tim Benson reviews a new Mackinac Center for Public Policy survey of likely voters in Michigan that found 57 percent of respondents are in favor of creating a tax credit scholarship program and 55 percent supporting education savings accounts (ESAs). Republicans and African-Americans were the two demographics



You have two opportunities this year to attend Heartland's Emerging Issues Forum!

Summer - Chicago, IL  
August 7-8, 2016

Winter - Orlando, FL  
December 15-17, 2016

**Register Now!**

most likely to support the two programs. Benson argues while the passage of tax credit scholarships would be a good start for Michigan, the passage of a universal ESA bill would be a much better strategy for remedying Michigan's dismal record of failing to educate its children. The goal, he says, should be "to allow every parent to choose, require every school to compete, and give every child an opportunity to attend a quality school." [Read more](#)

#### **Energy & Environment**

##### **Research & Commentary: New York's Proposed E15 Rule is a Bad Deal for Consumers**

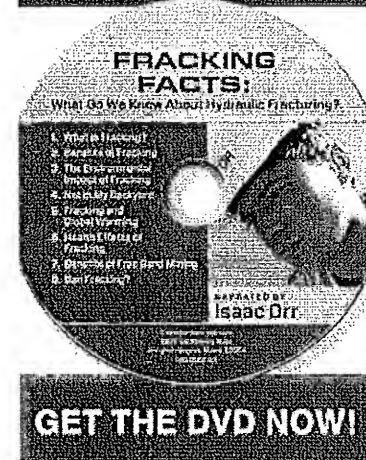
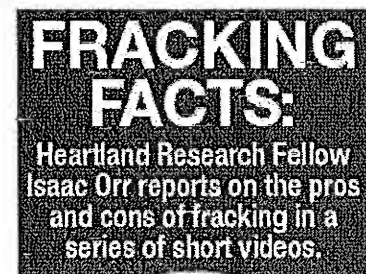
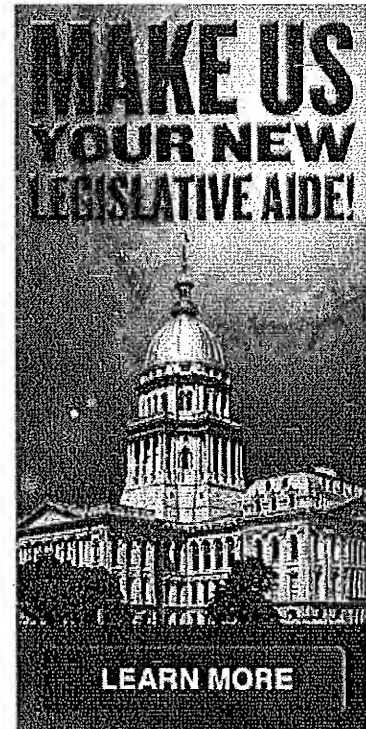
In this *Research & Commentary*, Policy Analyst Tim Benson examines a rule proposed by the New York Department of Agriculture and Markets that would mandate motor vehicle fuel be blended with up to 15 percent ethanol. The 15 percent blended fuel is commonly called E15. If the proposed ruling goes into effect, it would create demand for an extra 825 million gallons of ethanol, requiring 295 million bushels of corn. Benson argues ethanol and other biofuels do not produce environmental or economic benefits that justify this proposed rule, and he says it is wrong to assume New York State will be immune from the same forces that have raised fuel costs and reduced labor income in neighboring states that have already been lured into introducing renewable fuel standards. Benson says giving the green light to E15 fuels is nothing more than a well-intentioned mistake. [Read more](#)

#### **Tobacco**

##### **Research & Commentary: New Study Finds Teens Vape Because of Flavoring, Not Nicotine**

*The Wall Street Journal*, sales of e-cigarettes have doubled in the United States over the past five years, moving from \$250 million to \$500 million in total sales. Despite these benefits, some public-health crusaders argue e-cigarettes should be banned.

In this *Research & Commentary*, Government Relations Coordinator Lindsey Stroud examines a new study that analyzed data from a 2015 youth survey. Stroud argues attempts to limit or ban e-cigarettes will, according to the available data, cause unnecessary harm and lead to the opposite conclusion proponents of e-cigarette restrictions say they desire: better public health. "Policymakers should be aware of the evidence that has been and will be presented in the wake of the federal government's overreaching ruling, much of which has and will expose problems in with rationale used by FDA," wrote Stroud. [Read more](#)



#### From Our Free-Market Friends

##### Green Overload: New York State's Ratepayer-Zapping Renewable Energy Mandate

New York's Clean Energy Standard (NYCES) will cost ratepayers more than \$3 billion during its first five years, but its effect on global carbon-dioxide emissions will be minimal, according to a recent *Issue Brief* by Ken Girardin, policy analyst for the Empire Center. Girardin says the Clean Energy Standard will require New York electric utilities and, by extension, their customers to heavily subsidize renewable energy. NYCES will require 50 percent of the state's electricity to come from renewable-energy sources, such as solar and wind power, by 2030. The standard also subsidizes money-losing nuclear power plants outside Rochester and Syracuse. "While the governor and the [Public Service Commission] have portrayed the financial impact on ratepayers as minimal, the Clean Energy Standard is likely to add nearly \$3.4 billion to New York utility bills in just the next five years," wrote Girardin. [Read more](#)

#### POLICY NEWSPAPER



The September issue of *Environment & Climate News* reports a federal judge struck down new regulations requiring energy companies to disclose the use of some chemicals in the fracking process. The Ute Indian tribe and four states had challenged the regulations. Judge Scott Skavdahl, writing for the U.S. District Court of Wyoming, ruled the Energy Policy Act of 2005 expressly forbade the U.S. Department of Interior and Environmental Protection Agency from regulating fracking, with only limited exceptions.

#### Health Care News

#### Budget & Tax News

#### School Reform News



## Heartland Institute

The Heartland Institute is a 32-year-old national non-profit organization dedicated to discovering, developing, and promoting free-market solutions to economic and social problems.

## Our Websites

[The Heartland Institute](#)  
[Heartlander Magazine](#)  
[PolicyBot](#)  
[Somewhat Reasonable](#)  
[The Parent Trigger](#)  
[Climate Conference](#)

This message was sent to rep93@ohiohouse.gov from:

Heartland Institute: The Government Relations Team | nmakla@heartland.org |

Diane Bast | 3939 North Wilke Road | Arlington Heights, IL 60004

**Manage Your Subscription**

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**From:** Stuart Gardner  
**Sent:** Sunday, October 9, 2016 9:53 AM  
**To:** Rep93  
**Subject:** Senate Bill 329

Click To View Documents: [Preview attachment sb329\\_02\\_PS.pdf](#) [sb329\\_02\\_PS.pdf](#) 225 KB [webloc \(OKB\)](#)

Honorable House Representative,

The Republican controlled Senate is at it again,

I am coping this article that appeared in the Gongwer Ohio News Report on October 6, 2016, dated October 3, 2016.

**Sunset Bill:** Policy Matters Ohio, in a new blog post, labeled a recently passed Senate bill "a blitzkrieg attack on public services." The group's post centered on a bill (SB 329) from Senate President Keith Faber and Sen. Kris Jordan (R-Ostrander) that would automatically sunset state agencies every two years without a legislative vote. (See Gongwer Ohio Report, September 28, 2016)

"No one would seriously suggest that we shut down all our universities, prisons and nursing homes, lay off all our state highway patrol officers and end all projects to keep up our roads and bridges," the group wrote. "If these things are going to continue, why impose a needless, time-consuming and expensive process of asking whether they should? These institutions do not need to demonstrate a public need for their continued existence; that is self-evident." Proponents of the measure, which is now awaiting consideration by the House, say the bill marks a step toward greater government accountability.

Within this bill (listed on pages 2 & 3), virtually lists all Departments within the state Government. Those that would affect our SMART-TD union and members directly or indirectly:

1. The Department of Health
2. The Department of Public Health
3. The Department of Public Safety
4. The Department of Transportation
5. The Department of Insurance
6. The Public Utilities Commission

SB 329 was introduced in the House on 10/05/2016 but has not been assigned a

Committee as of today.

Democrat Minority Leader - Joe Schiavoni - believes that this very bad bill, it will be used as leverage by the Legislature vs. the Governor whenever the Legislature doesn't like a certain agency or person in that agency, to shut it down.

Here is what was just sent to our office from Senator Schiavoni:

The General Assembly already has the authority to do most of what's in this bill

- ? The Senate and House of Representatives already have the power to investigate state agencies and departments through existing committees. And the General Assembly can repeal or eliminate almost every department and program using current law.
- ? The Senate President sets the session calendar. Committee Chairpersons hold hearings and can issue subpoenas with approval from the Senate President.
- ? BOTTOM LINE: We could start this tomorrow if we wanted to. Under this bill, legislators would not be held accountable
- ? If legislators believe a state agency or department should be abolished, then they should have the courage to cast a vote to eliminate it. But, SB 329 enables them to avoid tough votes.
- ? SB 329 does not require a vote or a review to eliminate an agency or department.
- ? The General Assembly could do nothing and an agency or department would simply expire.
- ? Voting records are everything. If there's no vote, no one can hold them accountable.

We know that abusing this power could happen because we've seen it done

- ? Future governors could be held hostage by legislative leaders who could eliminate departments and agencies without casting a single vote.
- ? Under this bill, the Speaker of the House and the President of the Senate have total control over whether or not a Department gets a vote.
- ? EXAMPLE: Just this year, legislators threatened to strip the power of the CIIC, the prison watchdog committee, until its leader agreed to step down.

This bill is taken from the ALEC Playbook

- ? The original ALEC proposal called for a review once every 10 years and gave the executive branch a role to play in the review process.

o SB 329 calls for reviews about every four years and the Governor would not be part of it

- ? (if Faber mentions Texas example) Texas is an example of a state with a similar sunset review

process BUT it's different and better than what's proposed in SB 329.

o Texas has 20 full time staffers and a multi-million dollar budget to review agencies and

departments on the average of once every 12 years.

This bill could bring the same dysfunctional "D.C. style" politics to the Statehouse

- ? We've seen what's happened in Washington with government shutdowns and constant battles between Congress and the White House.
- ? It's the reason there's only eight justices right now on the U.S. Supreme Court.
- ? We're concerned Our founding fathers believed in a system of checks and balances to make sure no

single branch of government has too much power.

- ? SB 329 is more than just "re-asserting legislative authority", it's a power grab to weaken the

executive and to eliminate or privatize key functions of government.

This Bill also takes the power of all of the elected Legislators who represent their constituents, out of their hands, and puts the power into the hands of the very few.

If this Bill is passed and signed by the Governor, this bill will become our next "SB5" to rescind by a referendum vote by the citizens of Ohio.

- See more at: <http://www.gongwer->

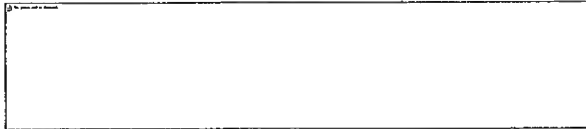
[oh.com/programming/news.cfm#sthash.9npF3ZSG.dpuf](http://oh.com/programming/news.cfm#sthash.9npF3ZSG.dpuf)

I have also attached SB 329 As Passed by the Senate:

Fraternally yours,

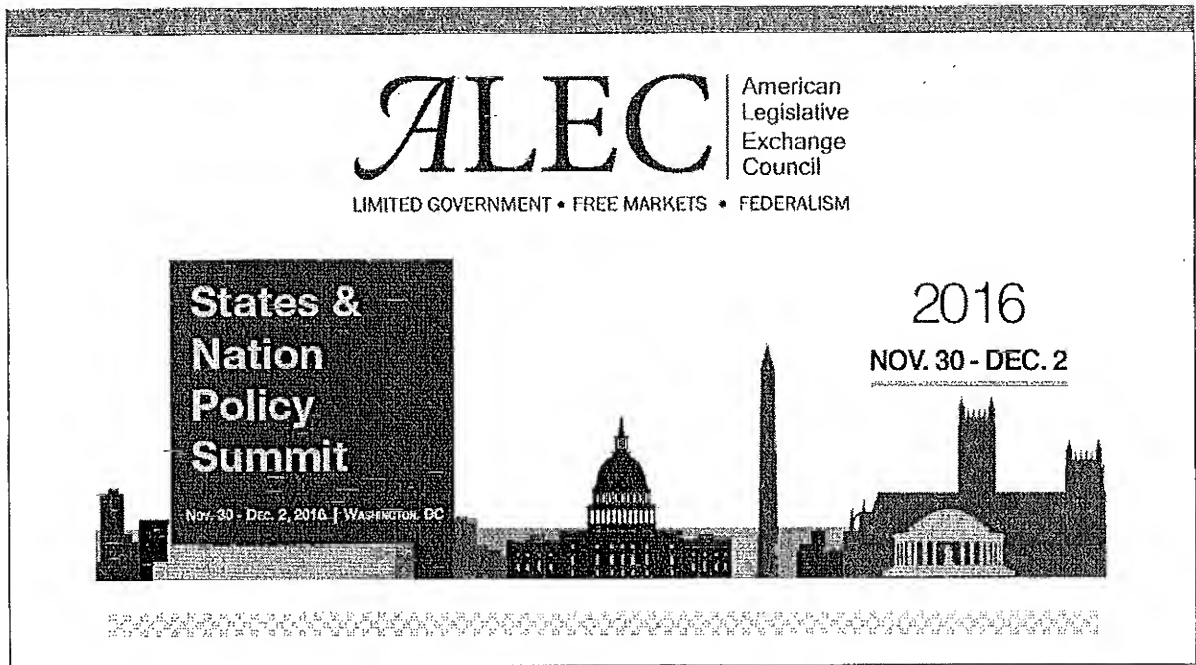
Stu

Stuart W. Gardner  
Chairman & State Legislative Director  
Ohio State Legislative Board  
SMART - Transportation Division (formerly the United Transportation Union)  
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Fax #: [614-392-2244](tel:614-392-2244)





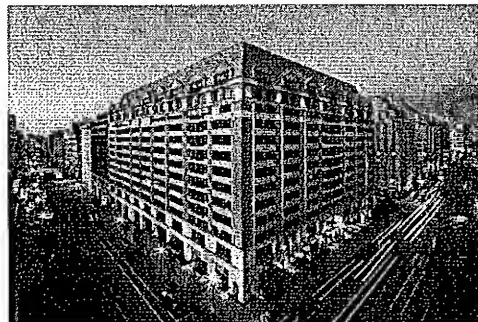
**From:** Courtney Cook  
**Sent:** Sunday, October 9, 2016 2:08 PM  
**To:** Rep93  
**Subject:** Don't Wait! Join ALEC in D.C.!



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to secure the early bird rate.  
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**Make your reservation  
today!**

Questions? Contact our Event Staff

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**From:** Public Policy Law360

**Sent:** Tuesday, October 11, 2016 4:24 AM

**To:** Rep93

**Subject:** Despite Progress, Big Obstacles Still Loom For Paris Deal



PUBLIC POLICY

## EXPLORE WHAT'S INSIDE LEXIS PRACTICE ADVISOR

Check out the topics we cover, the forms we offer, and where our practical guidance will take you.

Tuesday, October 11, 2016



### TOP NEWS

#### **Despite Progress, Big Obstacles Still Loom For Paris Deal**

The landmark global climate change deal brokered in Paris cleared an important hurdle this week when it secured enough official support to go into effect, but experts say the biggest hurdle — signatory countries turning their emissions, clean energy and climate adaptation financing goals from mere promises into reality — still lies ahead.

#### **Uber Gets OK To Run In Philly In Reversal Of Day-Old Order**

Uber and Lyft will be able to operate in Philadelphia after a Pennsylvania appellate judge on Friday granted an emergency petition from Uber Technologies Inc. reversing an order from a state judge barring ride-hailing activities one day earlier.

#### **Spanish Agency To Probe WhatsApp, Facebook Data-Sharing**

### LAW FIRMS

Akin Gump  
Archer & Greiner  
Arnold & Porter  
BakerHostetler  
Bancroft PLLC  
Banner & Witcoff  
Berkowitz Oliver  
Browne George  
Bryan Cave  
Buchanan Ingersoll  
Cohen Milstein  
Condon & Forsyth  
Constangy Brooks  
Covington & Burling  
Crowell & Moring  
Cuddy & Feder  
Curtin & Heefner  
DLA Piper  
Debevoise & Plimpton  
Earthjustice

The Spanish Data Protection Agency has added its voice to the choir of privacy regulators concerned about WhatsApp's plan to begin sharing user data with parent company Facebook, saying Wednesday that it will look into the mobile messenger's new practice.

### **Feds, Sierra Club Urge 10th Circ. To Reinstate Fracking Rules**

The federal government and the Sierra Club urged the Tenth Circuit on Friday to overturn a federal judge's decision to nix the Bureau of Land Management's regulations governing hydraulic fracturing on federal and Native American lands, saying the rule is within the BLM's authority.

### **Tax Pros Push Tweaks In New IRS Partnership Audit Rules**

The American Institute of Certified Professional Accountants urged the Internal Revenue Service on Friday to consider a series of recommendations for its new partnership audit regime, as the agency susses out how to implement major reforms recently mandated by Congress.

### **Menendez Faces Renewed Corruption Charges**

A federal grand jury revived a handful of previously dismissed criminal corruption charges against Sen. Robert Menendez, D-N.J., and a prominent political donor, returning a superseding indictment Thursday that prosecutors say cures a charging defect regarding allegations of official acts done in exchange for campaign and legal defense fund donations.

### **US Accuses Russia Of Hacking DNC To Tamper With Elections**

U.S. officials on Friday said the Russian government was behind a cyberattack of the Democratic National Committee that led to the disclosure of tens of thousands of internal emails on WikiLeaks and elsewhere, saying the

Fisher Phillips  
Fredericks Peebles  
Gibbons PC  
Gibson Dunn  
Greenberg Traurig  
Hogan Lovells  
Hunton & Williams  
Jackson Walker  
Kaplan Kirsch  
Kaye McLane  
Kirkland & Ellis  
Latham & Watkins  
Law & Lewis  
Lawrence Beach  
Lewis Roca  
Loeb & Loeb  
McCarter & English  
McElroy Deutsch  
Morrison & Foerster  
O'Melveny & Myers  
Paul Hastings  
Potter Minton  
Quinn Emanuel  
Reed Smith  
Sanford Heisler  
Saul Ewing  
Sheppard Mullin  
Sidley Austin  
Skadden  
Snell & Wilmer  
Stinson Leonard  
Stroock & Stroock  
The Employment Law Group  
Weil Gotshal  
Weisbrod Matteis  
White and Williams  
WilmerHale

### **COMPANIES**

hack was "intended to interfere with the U.S. election process."

## ANALYSIS

### **4 Takeaways From The Global Pact To Cut Airplane Emissions**

A United Nations-backed accord to cap greenhouse gas emissions from commercial airliners is the first global framework for managing the international aviation sector's carbon footprint and reducing air pollution, marking what could be the first step toward new airplane emissions regulations covering the U.S. and over 100 other countries.

### **Senate Defense Acquisition Overhaul May Be Too Ambitious**

The Senate Armed Services Committee's proposal to promote innovation by splitting the defense acquisition, technology and logistics undersecretary role into separate positions may suffer from being too revolutionary, experts say, and could end up being less effective than planned.

### **Pa. Cases Could Pave Clearer Path For Local Fracking Laws**

Pennsylvania towns have gained greater capacity to limit oil and gas drilling operations through recent court victories, but those rulings also have left municipalities facing a web of uncertainty in regulating fracking that the state Supreme Court could help untangle through pending cases on local zoning powers and citizens' environmental rights, experts say.

### **Vow To Break Up Wells Fargo Likely An Empty Threat**

A top House Democrat recently vowed to break up Wells Fargo & Co. over the creation of more than 2 million unauthorized accounts, but experts said that even if a political path existed to do so, there was no legislative way to attack Wells without targeting other big banks.

Air Transport Association of America  
American Civil Liberties Union  
American Enterprise Institute  
American Farm Bureau Federation  
American Legislative Exchange Council  
American Petroleum Institute Inc.  
American Road & Transportation Builders Association  
American Trucking Associations Inc.  
Apple Inc.  
Avaya Inc.  
Bank of America Corporation  
Barnes & Noble Inc  
Center for Strategic and International Studies  
Comcast Corporation  
Consolidated Edison Inc.  
Costco Wholesale Corporation  
Daimler AG  
EMI Group Ltd.  
Electronic Privacy Information Center  
Environmental Defense Fund Inc.  
Exxon Mobil Corporation  
Facebook  
Google Inc.  
Helsinn Healthcare SA  
JPMorgan Chase & Co.  
Litigation Insights Inc.  
Lyft Inc.  
Major League Soccer LLC  
Microsoft Corporation  
Mosaic Life Care  
NFL Enterprises LLC  
National Association of Home Builders

## ENERGY & ENVIRONMENTAL

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### **Exxon Accused Of Using Tax-Exempt Group To Lobby**

Two watchdog groups have accused Exxon Mobil Corp. of intentionally misusing a conservative group with tax-exempt nonprofit status to advance the oil giant's legislative agenda to sow uncertainty about climate science.

### **Supreme Court Urged To Review EPA Water Rule Jurisdiction**

An American Farm Bureau Federation-led coalition of industry groups said Friday that the U.S. Supreme Court should review the Sixth Circuit decision to assert exclusive jurisdiction to review the controversial Clean Water Rule, and end "once and for all" the jurisdictional quandary that has led to suits scattered nationwide.

### **API Looks To Pause Suit Over EPA's Tribal Land Oil, Gas Rule**

The American Petroleum Institute has moved to pause its D.C. Circuit challenge to the U.S. Environmental Protection Agency's plan to limit emissions of harmful air pollutants and streamline the preconstruction permitting process for oil and natural gas production and natural gas processing industries operating in Indian Country.

### **New Pa. Fracking Regs To Finally Take Effect**

A long-anticipated set of updates to rules governing hydraulic fracturing at oil and gas wells in Pennsylvania went into effect Saturday, in spite of a last-ditch effort from an industry group to delay their publication.

## MEDIA & ENTERTAINMENT

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### **NCAA Moves 2017 Basketball Tourney Games From NC To SC**

National Association of Manufacturers  
National Association of Realtors  
National Basketball Association  
National Cattlemen's Beef Association  
National Collegiate Athletic Association  
National Corn Growers Association  
National Mining Association  
Natural Resources Defense Council  
Neiman Marcus Group  
New England Patriots  
Samsung Electronics Co. Ltd.  
SavaSeniorCare LLC  
Savills Studley Inc.  
Sierra Club  
Signal International Inc.  
Southern Poverty Law Center  
TechFreedom  
Tenet Healthcare Corporation  
The DIRECTV Group, Inc.  
UBS AG  
Uber Technologies Inc.  
Verizon Communications  
VirnetX Holding Corporation  
Wells Fargo & Co.

### GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Labor Statistics  
Bureau of Land Management  
Consumer Financial Protection Bureau  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation

The NCAA said Friday that the 2017 men's basketball tournament games pulled from North Carolina over the state's controversial transgender bathroom law will instead be played in Greenville, South Carolina, marking the first time South Carolina will host tournament games since the NCAA lifted a ban on the Palmetto State after it agreed to stop displaying the Confederate flag.

### **NJ Asks Supreme Court To Review Sports Betting Case**

The state of New Jersey asked the U.S. Supreme Court on Friday to review a Third Circuit decision striking down the Garden State's attempts to allow sports betting at its casinos and racetracks, arguing the ruling is an unconstitutional "takeover" of the state's right to pass and repeal its own laws.

### **TRANSPORTATION & INFRASTRUCTURE**

#### **Truckers Say Speed-Limiter Rule May Compromise Safety**

The American Trucking Associations expressed concern with a proposed U.S. Department of Transportation rule seeking to implement speed-limitation devices in heavy-duty trucks and vehicles, saying on Thursday the new systems could possibly result in making roads less safe.

#### **GWB Scandal Defendant Not A 'Decision Maker,' Witness Says**

An attorney for a former public official on trial over the George Washington Bridge lane closures said Friday that a former colleague did not consider her to be a "decision maker" in an effort to debunk claims that she ordered the closures for political revenge.

### **EMPLOYMENT**

#### **NJ Whistleblower Deal Spurs Call For Public Record Law**

Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Financial Institutions Examination Council  
Federal Reserve System  
Federal Trade Commission  
Government Accountability Office  
Immigration and Customs Enforcement  
Internal Revenue Service  
National Highway Traffic Safety Administration  
National Institute of Standards and Technology  
National Labor Relations Board  
New Jersey Legislature  
New York State Department of Health  
Office of Foreign Assets Control  
Office of the Comptroller of the Currency  
Office of the Director of National Intelligence  
Port Authority of New York & New Jersey  
Securities and Exchange Commission  
Special Inspector General for Afghanistan Reconstruction  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of Veterans Affairs  
U.S. Department of the Treasury

The publicizing of New Jersey's agreement to pay \$1.5 million to settle a former assistant county prosecutor's whistleblower lawsuit has motivated the introduction of a bill in the state Assembly that would bar public entities and public employees from confidentially settling whistleblower suits, according to an announcement Friday.

## PRIVACY & CONSUMER PROTECTION

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### **Microsoft Holds Up Cybersecurity Framework As Global Model**

The voluntary cybersecurity framework developed through a collaboration between the federal government and the private sector two years ago provides a strong model for coming up with an effective global approach to tackling cyberthreats, Microsoft's cybersecurity policy director said Thursday.

## GOVERNMENT CONTRACTS

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### **Ex-NJ Lawmaker Pleads Guilty In \$5.3M Misconduct Case**

A former New Jersey lawmaker pled guilty Friday in New Jersey state court to stealing nearly \$1.9 million in loans for a housing venture and writing more than \$3.4 million in bad checks in connection with his various businesses, according to the state attorney general's office.

### **NY Health Dept. Wrongly Denying Speech Aids, Suit Says**

The New York State Department of Health uses an arbitrary standard to improperly deny Medicaid patients with communication issues access to medically necessary speech-generating devices, according to a potential class action filed Thursday in New York federal court.

### **SIGAR Says DOD May Be Paying For Afghan 'Ghost' Soldiers**

The Special Inspector General for Afghanistan Reconstruction in a letter made public Friday

U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Patent and Trademark Office  
U.S. Supreme Court  
United Nations  
Ute Indian Tribe  
Wage and Hour Division



asked the Pentagon to explain its recent efforts to ensure the accuracy of the Afghanistan military personnel databases, citing reports of payments potentially being made to nonexistent "ghost" soldiers.

## INTERNATIONAL TRADE

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### **Obama Ends Sanctions On 200 Burmese Leaders, Companies**

President Barack Obama on Friday ended several sanctions programs against Burma that had been built up over nearly two decades, saying that the country's steps toward democracy and freedom justify ending prohibitions against doing business with about 200 companies and individuals.

## TAX

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### **Pol Questions NYC's Property Tax Lien Sale Process**

New York City's process of selling property tax liens gives landlords incentive to neglect buildings and harass tenants and should be revised to help preserve more affordable housing, according to a report from the city's public advocate released Friday.

## IMMIGRATION

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### **DHS, Detained Immigrants Clash Over Database Doc Requests**

The Department of Homeland Security on Friday exchanged blows over a document production bid with immigrants who say they were unlawfully held by Los Angeles County officers based on warrantless requests by U.S. Immigration and Customs Enforcement, contending that information in the requested documents is protected by statutes and regulations.

## TELECOMMUNICATIONS

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### **FCC Chair's Leaks Within His Authority, Watchdog Says**

Federal Communications Commission Chairman Tom Wheeler authorized media leaks regarding a last-minute compromise on the agency's Lifeline low-income subsidy, but that disclosure was within his authority and didn't influence the scuttling of the compromise, the FCC's Office of Inspector General has concluded.

### **FCC Head Proposes 'Light Touch' For New Biz-Data Players**

Federal Communications Commission chief Tom Wheeler on Friday unveiled a scaled-back plan for regulating the market for business data services, in which he now seeks to apply "targeted regulation" of legacy services while using a "lighter touch" in developing areas of the market.

### **FCC Lifts Sunshine Restrictions On Set-Top Box Plan**

The Federal Communications Commission has lifted so-called sunshine period restrictions in order to allow outside groups to weigh in on its set-top box plan following calls for more transparency, a week after the FCC pulled the controversial item from its September meeting agenda.

### **EXPERT ANALYSIS**

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### **10 Things To Look For This Supreme Court Term**

This term of the U.S. Supreme Court will probably be one of the oddest in our history, according to Jim Brosnahan, senior trial counsel with Morrison & Foerster LLP. Here are some of the dynamics to look for between now and June 2017.

### **Practical Steps For Contractor Sick Leave Compliance**

The U.S. Department of Labor's final rule requiring federal contractors and subcontractors to provide paid sick leave for certain employees imposes another set of onerous requirements on federal contractors. The regulations will be particularly burdensome for small or midsize contractors, given the administrative costs for tracking and complying with the complex regulatory requirements, say attorneys at Akin Gump Strauss Hauer & Feld LLP.

### **New York State's Energy Marketplace Heading Into 2016 Q4**

At the start of the final quarter of 2016, a number of important initiatives are transforming New York state's energy marketplace. Neil Alexander and Lucia Chiocchio of Cuddy & Feder LLP offer a survey of some significant programs around the state.

### **A Battle Over The Business Of Rooftop Solar**

Rooftop solar companies have been the beneficiaries of favorable treatment by taxing authorities, legislatures and regulators. But now, the economics of the business and the level of subsidies it receives are being questioned in state utility regulatory proceedings. And, understandably, businesses that are built around tax breaks and subsidies are loathe to give up the status quo, says Raymond Heyman of Snell & Wilmer LLP.

## **LEGAL INDUSTRY**

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### **Sept. Marks 3 Months Of Weak Legal Sector Jobs Growth**

Legal services jobs remained relatively flat for the third month in a row in September, adding a mere 400 jobs since August and eking out a meager 0.25 percent increase over employment levels last year, according to data released Friday by the U.S. Bureau of Labor Statistics.

### **Lawyers Should Apologize More Often, Law Professor Says**

Lawyers should consider copping to their mistakes and apologizing to clients more often in order to avoid ethics violations, according to a new academic paper examining attorney behavior.

### **EMI Hires Ex-DOJ Debevoise Atty in Malaysian Cash Case**

EMI Music Publishing Management LLC has hired a Debevoise & Plimpton LLP attorney previously with the U.S. Department of Justice to represent it in a California federal civil forfeiture suit over allegedly laundered money from a Malaysian state-owned investment fund.

### **Law360's Weekly Verdict: Legal Lions & Lambs**

Attorneys for Tiffany & Co. topped the legal lions list this week when they won an \$8.25 million jury verdict for the jeweler in a long trademark dispute with Costco while Potter Minton PC and Kirkland & Ellis LLP stood out as legal lambs after a Texas federal jury leveled a \$300 million verdict against their client, Apple, for infringing patents with its FaceTime technology.

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

A consumer data breach class action shows plaintiffs can win on standing and fail elsewhere, the CFPB's information security infrastructure falls short, and the D.C. Circuit slams the NLRB for a money-wasting litigation "suicide mission." Those stories top the corporate legal news you may have missed last week.

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

### **Pro Bono Firms Of 2016: Skadden Arps**

A year of victories, including freeing a man from a wrongful rape and murder conviction after 33 years in prison and securing compensation for Signal International's trafficked shipyard laborers, has landed Skadden Arps Slate Meagher & Flom LLP a spot among Law360's Pro Bono Firms of 2016.

### **Rainmaker Q&A: Jackson Walker's Mary Emma Karam**

Don't focus on the money, focus on the service. Practicing law is a lifelong career where the relationships you build and the people you help are the things that make up your legacy and make life more rewarding, says Mary Emma Karam, chairwoman of business development and marketing at Jackson Walker LLP.

### **Rainmaker Q&A: Reed Smith's Scott Bolden**

When someone asks me how I have continued to be a successful business developer, I like to say, "Skate to where the puck will be, not where it is right now." The legal industry changes daily so you need to continually think ahead, and your clients will really appreciate you thinking ahead for them, says Scott Bolden, partner at Reed Smith LLP.

#### **JOBS**

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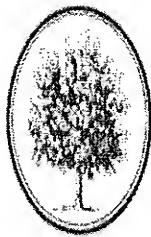
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**From:** The Buckeye Institute  
**Sent:** Tuesday, October 11, 2016 9:12 AM  
**To:** Rep93  
**Subject:** Latest salary data on Ohio governments now available

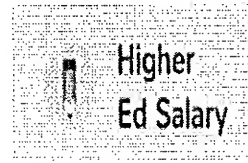
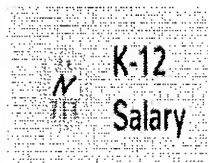


## THE BUCKEYE INSTITUTE

Knowledge is power. And giving all citizens insight into how their government is operating is how power stays in the hands of the many rather than a select few. That basic principle guides The Buckeye Institute's efforts to create a more transparent government.

To that end, The Buckeye Institute recently updated its popular [government salary search engine](#) with the latest data from 2015. There you can see how the salaries of Ohio's public sector employees compare with those in the private sector --- that is, the ones whose taxes pay for those government positions. To begin searching, [click here](#) or the image below.

### Database



Such tools give citizens, policymakers, the media, and you the ability to be a watchdog on government. Do our public institutions reflect the communities

they're funded to represent? Find out for yourself: [Click here and start searching.](#)

# # #

Founded in 1989, The Buckeye Institute is an independent research and educational institution—a think tank—whose mission is to advance free-market public policy in the states.

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